CITY OF SANTA BARBARA
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

DRAFT INITIAL STUDY/ ENVIRONMENTAL CHECKLIST

MST2005-00156

PROJECT: 3757-3771 State Street

May 1, 2008

This Initial Study has been completed for the project described below because the project is subject to review under the California Environmental Quality Act (CEQA) and was determined not to be exempt from the requirement for the preparation of an environmental document. The information, analysis and conclusions contained in this Initial Study are the basis for deciding whether a Negative Declaration (ND) is to be prepared or if preparation of an Environmental Impact Report (EIR) is required to further analyze impacts. Additionally, if preparation of an EIR is required, the Initial Study is used to focus the EIR on the effects determined to be potentially significant.

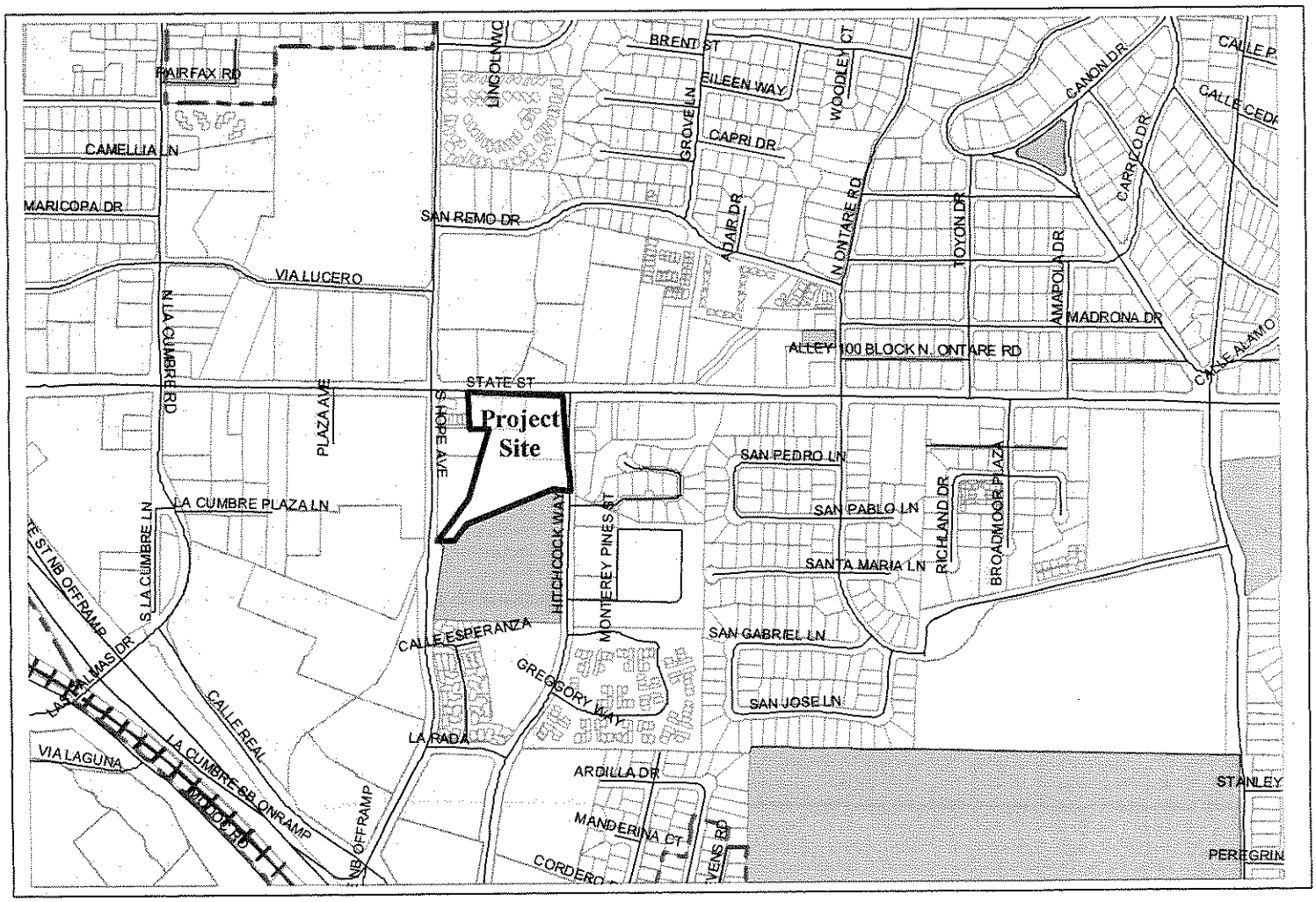
APPLICANT/ PROPERTY OWNER

Applicant: Ken Marshall and April Verbanac, Dudek and Associates

Owner: Regency Centers

PROJECT ADDRESS/LOCATION

The 5.4 acre (5.12-acres net) project site is composed of four adjacent parcels located in the Upper State Street area immediately southwest of the State Street/Hitchcock Way intersection, and east of Hope Avenue, commonly known as 3757-3771 State Street. The site is in the North State neighborhood of the City of Santa Barbara, as identified in the General Plan.



PROJECT DESCRIPTION (See *Exhibit A-Project Plans*)

The project consists of the demolition of all site improvements and structures (56,545 sq. ft.) and the construction of four new buildings consisting of 72,209 square feet of commercial/retail space, 15 residential units (13 market rate, 2 moderate-income affordable) comprising approximately 30,356 square feet of living space, and 303 parking spaces. The project site is comprised of four parcels, of which three would be merged, resulting in two parcels.

One of the new buildings (referred to as the "Whole Foods/Circuit City" building) would be occupied by Whole Foods Market and Circuit City (an electronics store) and would contain 13 of the proposed residential units. This 63,796 square foot, three-story building would be located in the southern portion of the site, adjacent to San Roque Creek. Whole Foods Market is anticipated to occupy 43,017 square feet, adjacent to a 20,779 square foot Circuit City. Beneath these two uses is a truck receiving area and access to a small subterranean parking lot. Thirteen of the proposed residential units would be constructed above the commercial space.

At the southwest corner of State and Hitchcock, a three-story building containing 2,936 square feet of commercial space and two residential units is proposed (referred to as the "Shops" building).

A one-story 4,273 square foot building, anticipated to be occupied by Citibank, would front State Street along the western portion of the site (referred to as the "Citibank" building).

Along the western property boundary, a new one-story 1,204 square foot retail building is proposed (referred to as the "Retail" building).

The following tables provide a numeric breakdown of the existing and proposed commercial and residential components of the project:

EXISTING COMMERCIAL DEVELOPMENT

Building/Use	Square Footage – Gross	Square Footage - Net
Circuit City	23,500	22,444
Office/Retail	5,364	5,160
Shops/Retail	5,600	5,235
Citibank	21,875	21,666
Taco Bell	2,070	2,040
TOTAL	58,409	56,545

PROPOSED COMMERCIAL DEVELOPMENT

Building/Use	Square Footage – Gross	Square Footage - Net
Whole Foods	44,579	43,017
Circuit City	21,412	20,779
Shops	3,052	2,936
Citibank	4,392	4,273
Retail	1,300	1,204
TOTAL	74,735	72,209

PROPOSED RESIDENTIAL DEVELOPMENT

Unit #	Bedrooms	Affordability	Parking	Stories/Location	Square Footage
1	3 Bd	Market-Rate	1-car garage	3 stories/Whole Foods	2,173
2	3 Bd	Market-Rate	1-car garage	3 stories/Whole Foods	2,056
3	3 Bd	Market-Rate	1-car garage	3 stories/Whole Foods	3,520
4	3 Bd	Market-Rate	1-car garage	3 stories/Whole Foods	2,551
5	3 Bd	Market-Rate	1-car garage	3 stories/Whole Foods	2,056
6	3 Bd	Market-Rate	1-car garage	3 stories/Whole Foods	2,039
7	3 Bd	Market-Rate	1-car garage	3 stories/Whole Foods	1,705
8	3 Bd	Market-Rate	1-car garage	3 stories/Whole Foods	2,058
9	3 Bd	Market-Rate	1-car garage	3 stories/Whole Foods	3,005
10	3 Bd	Market-Rate	2-car garage	2 stories/Circuit City	1,813
11	3 Bd	Affordable	1-car garage	2 stories/Circuit City	1,482
12	3 Bd	Market-Rate	2-car garage	2 stories/Circuit City	1,579
13	3 Bd	Market-Rate	2-car garage	2 stories/Circuit City	1,819
14	2 Bd	Market-Rate	1 covered space	2 stories/Corner Shops	1,358
15	3 Bd	Affordable	1 covered space	1 story/Corner Shops	1,142
TOTAL		2 Affordable	18 provided		30,356

The project is proposed to be LEED certified, and will contain a number of green building components including solar panels, permeable pavers and stormwater treatment.

Parking for the development (303 spaces total) would occur at-grade (131), in a subterranean parking area beneath the "Whole Foods/Circuit City" building (53) and on the roof of the "Whole Foods/Circuit City" building (119). A parking agreement to allow the two resulting parcels to share parking would be required as a condition of project approval.. Sixty bicycle parking spaces are proposed. Access to the development would be provided via two driveways along State Street and two driveways along Hitchcock Way.

Proposed grading for the project includes approximately 30,500 cubic yards of cut/excavation and 2,300 cubic yards of fill. This grading is primarily associated with the subterranean truck receiving area and parking area.

Other development associated with the project includes: stabilization of Arroyo Burro Creek, creekside restoration and habitat enhancements along San Roque and Arroyo Burro Creeks, pedestrian pathways along both creek corridors, and other public improvements and amenities including new parkway and sidewalk, and utility relocation.

Project Operations: Permitted uses within the proposed "Whole Foods/Circuit City" building and the "Shops" building would be limited to those uses permitted in the C-P Restricted Commercial Zone. Permitted uses within the proposed "Citibank" and "Retail" buildings would be limited to those uses permitted in the C-2 Commercial Zone (Exhibit P). The proposed development identifies a grocery store, electronics store and bank as anticipated uses on site. The other commercial/retail uses have not yet been specifically identified.

Residential units would be offered for sale, with purchasers of the affordable units subject to income qualification pursuant to the City's Affordable Housing Policies and Procedures.

Demolition/Construction: Construction activities are anticipated to occur over a period of approximately 16 months. Construction and demolition would occur in three phases, which would overlap one another during the 16-month construction period.

Required Permits: In order for the project to proceed, the following discretionary approvals are required:

1. Development Plan approval for 66,732 square feet of development in the C-P Zone (SBMC §28.54.120);
2. Transfer of Existing Development Rights (TEDR) for Measure E purposes to transfer 3,227 square feet from APN 017-021-032 (208-222 East Yanonali Street) to APNs 051-040-046, -052, and -053; and 1,187 square feet from APN 017-021-032 (208-222 East Yanonali Street) to APN 051-040-049 (Existing Taco Bell site) (SBMC §28.95.030);
3. Development Plan approval for a net increase of 12,227 square feet of non-residential development from the minor and small additions categories and from the proposed TEDR for APNs 051-040-046, -052, and -053 (SBMC §28.87.300);
4. Development Plan approval for a net increase of 3,437 square feet of non-residential development from the minor and small additions categories and from the proposed TEDR for APN 051-040-049 (Existing Taco Bell site) (SBMC §28.87.300);
5. Development Plan approval for a TEDR of 4,414 square feet of non-residential development from APN 017-021-032 to APNs 051-040-046, -049, -052, and -053 (SBMC §28.87.300);
6. Lot Merger of three contiguous parcels (APNs 051-040-046, -052 and -053) (SBMC Chapter 27.30);
7. Tentative Subdivision Map for a one-lot subdivision of the newly merged lot to create fifteen (15) residential condominium units and one (1) commercial condominium unit (SBMC 27.07 and 27.13);
8. Tentative Subdivision Map for a one-lot subdivision of APN 051-040-049 to create two commercial condominium units (SBMC 27.07 and 27.13);
9. Modification to provide less than the required number of parking spaces (SBMC §28.90);
10. Modification of the required front yard setback along State Street (SBMC §28.54.060 and 28.45.008);
11. Modification of the required front yard setback along Hitchcock Way (SBMC §28.54.060 and SBMC §28.45.008); and
12. Design Review by the Architectural Board of Review for mixed-use development (SBMC §22.68.040).

Other Permits/Actions

1. Army Corps of Engineers Section 404 Permit for activities within waters of the U.S. (33 CFR 330);
2. Central Coast Regional Water Quality Control Board Section 401 Water Quality Certification;
3. California Department of Fish and Game Streambed Alteration Agreement; and
4. City Building Division and Public Works Department Permits.

ENVIRONMENTAL SETTING

Existing Site Characteristics

Topography: The majority of the project site is essentially flat, with the exception of the creek banks, which have very steep topography.

Geologic Conditions: The majority of the project site has minimal erosion potential; however, areas within the creek corridor have active erosion potential.

Flooding: The majority of the project site is outside the 500-year flood plain; however, the creek is within Zone AE, a Special Flood Hazard Area subject to inundation by the 100-year flood.

Fire Hazard: The project site is not located in the High Fire Hazard Area of the City.

Creeks/Drainage/Biological Resources: The project site is located in the Arroyo Burro watershed. The project site is bordered by San Roque Creek to the south and Arroyo Burro Creek to the west. The two creeks converge immediately downstream of the project site and continue as Arroyo Burro Creek. Wetland communities exist within the Creeks at the project site.

Archaeological Resources: The City Master Environmental Assessment (MEA) indicates that the project site is located within a Prehistoric Watercourse cultural resources sensitivity area.

Noise: Noise affecting the project site is primarily ambient noise from vehicular traffic. The City's MEA indicates that noise levels range from less than 60 dBA to 65-70 dBA. The measured and modeled noise levels at the project site ranged between 65 and 71dBA CNEL (Dudek, 2006).

Existing Land Use

Existing Facilities and Uses: The project site is currently developed with four commercial structures (one to three stories in height) totaling approximately 58,325 square feet. Existing uses on site include a bank (Citibank), a fast food restaurant (Taco Bell) and an electronics store (Circuit City), as well as a variety of office and retail uses.

Access and Parking: Access to the project site is currently provided along Hitchcock Way and State Street. There are currently three driveways along Hitchcock Way and four driveways along State Street. Approximately 269 parking spaces are currently provided, 29 of which are located in a separate lot (Taco Bell site, APN 051-040-049) with no access to the rest of the site.

PROPERTY CHARACTERISTICS

Assessor's Parcel Numbers:	051-040-046, -049, -052, -053	**General Plan Designation:**	General Commerce/ Office and Buffer/Stream
APN:	**Existing Reference/Use:**	**Zoning:**	**Parcel Size:**
051-040-046	Citibank Site	C-P/S-D-2	1.24
051-040-049	Taco Bell Site	C-2/S-D-2	0.46
051-040-052	Office/Retail Site	C-P/S-D-2	0.45
051-040-053	Circuit City/Retail Site	C-P/S-D-2	2.97
			5.12 net acres
Existing Land Use:	Commercial and retail	**Proposed Land Use:**	Commercial, retail and residential
Slope:	3% slope from north to south for majority of site (excludes creek corridors)		
SURROUNDING LAND USES:			
North:	State Street and commercial uses		
South:	San Roque Creek and YMCA		
East:	Hitchcock Way and commercial uses (i.e. restaurants, car wash, retail)		
West:	Arroyo Burro Creek and commercial and residential uses		

PLANS AND POLICY DISCUSSION

Various sections of this Initial Study make reference to applicable General Plan policies and ordinance provisions. The Planning Commission Staff Report will provide a further analysis of potential project consistency or inconsistency with the City General Plan elements, including the Land Use Element, Circulation Element, Conservation Element, Scenic Highways Element, Noise Element, Seismic Safety-Safety Element and other applicable plans and policies. Final determinations of project consistency with applicable policies will be made by the decision-makers as part of their action to approve or deny the project proposal.

Land Use and Zoning Designations:

The project site is designated General Commerce and Offices and Buffer/Stream by the General Plan Land Use Element. The project site is zoned C-P/S-D-2, Restricted Commercial Zone/Upper State Street Special District Zone and C-2/S-D-

2, Commercial Zone/Upper State Street Special District Zone. The proposed uses would be potentially consistent with these designations.

General Plan Policies:

Initial analysis of project consistency with adopted City plans and policies indicates that the project could be found potentially consistent with the existing General Plan Land Use Element designation of General Commerce and Offices and Buffer/Stream.

1. Conservation Element

City Conservation Element policies provide that significant environmental resources of the City be preserved and protected. The Conservation Element requires implementation of resource protection measures for archaeological, historic and architectural resources; protection and enhancement of visual, biological and open space resources; protection of specimen and street trees; maintenance of air and water quality; and minimization of potential drainage, erosion and flooding hazards. The Conservation Element of the General Plan contains an extensive discussion regarding creek related issues. The Conservation Element identifies the importance of creek management and recognizes that there should be a balance between urban development and resource protection. The Conservation Element recognizes that while full implementation of the policies would be the most desirable, there are often competing demands for preservation, enhancement, development and conservation.

Policies that would be applicable to the subject project include the following:

Visual Resources 1.0 - Development adjacent to creeks shall not degrade the creeks or their riparian environments.

Visual Resources 3.0 - New development shall not obstruct scenic view corridors, including those of the ocean and lower elevations of the City viewed respectively from the shoreline and upper foothills, and of the upper foothills and mountains viewed respectively from the beach and lower elevations of the City.

Visual Resources 4.0 - Trees enhance the general appearance of the City's landscape and should be preserved and protected.

Visual Resources 5.0 - Significant open space areas should be protected to preserve the City's visual resources from degradation.

Biological Resources 5.0 - The habitats of rare and endangered species shall be preserved

Cultural Resources 1.0 - Activities and development which could damage or destroy archaeological, historic, or architectural resources are to be avoided.

The project may be found potentially consistent with applicable policies of the Conservation Element through adherence to the identified project design and mitigation measures as detailed in this Initial Study, such that potential significant or adverse impacts to the City's environmental resources are avoided and minimized to the maximum extent feasible.

Regarding biological resources, Conservation Element policies encourage the protection of the City's critical ecological resources in order to provide a high-quality environment necessary to sustain the City's ecosystem. A biological assessment was prepared to identify the project's potential effects on habitat areas related to Arroyo Burro and San Roque Creeks. The site was found to have the following land covers: southern willow scrub, disturbed wetland, developed land, eucalyptus and ornamental landscaping. The biological analysis has concluded that the 50-foot building setback, as measured from the 100-year flood elevation (25-foot setback from the existing top of slope), combined with the proposed creek restoration and habitat enhancement plan, would protect the natural plant and wildlife resources of the area and that the project would result in habitat and water quality enhancement. Therefore, the project is potentially consistent with the Conservation Element policies relative to biological resources.

With respect to cultural resources, Conservation Element policies speak to the preservation and protection of archaeological, historic, or architectural resources. A Phase 1 archaeological survey of the project site was prepared by Western Points Archaeology in May 2005 and accepted by the Historic Landmarks Commission. The assessment provides a comprehensive overview of previous archaeological research, estimated sensitivity zones, and guidelines for each sensitivity zone that include mitigation measures to be employed depending on the nature of proposed construction

projects. Results of this survey indicate that there is the potential for buried cultural resource deposits to be contained beneath the existing pavement or buildings. Compliance with required mitigation measure to conduct monitoring during all ground disturbing activities would ensure the project is consistent with the Conservation Element relative to archaeological resources.

No historic resources exist on the site; therefore the project is potentially consistent with the historic resources aspect of the cultural resources section of the Conservation Element.

Visual impacts were determined to be less than significant; therefore, the project is potentially consistent with the visual resources aspects of the Conservation Element.

2. Seismic Safety/Safety Element

The City's Seismic Safety/Safety Element requires that development be sited, designed and maintained to protect life, property, and public well-being from seismic and other geologic hazards, and to reduce or avoid adverse economic, social, and environmental impacts caused by hazardous geologic conditions. The Seismic Safety/Safety Element addresses a number of potential hazards including, geology, seismicity, flooding, liquefaction, tsunamis, high groundwater, and erosion.

The project site is subject to a number of geologic and environmental constraints related to the creeks that bound the site to the south and west. Of particular note is the continuing erosion of Arroyo Burro Creek along the project's western boundary. As discussed in this Initial Study analysis, potential impacts associated with these hazards would be adequately addressed by implementing the identified project design (specifically the Creek Stabilization/Rehabilitation proposed in the Questa Report (2006) and incorporating recommendations from the soils engineer. Therefore, the proposed project may be found potentially consistent with the Seismic Safety/Safety Element policies relative to potential hazards.

3. Noise Element

The City's Noise Element includes policies intended to achieve and maintain a noise environment that is compatible with the variety of human activities and land uses in the City.

The proposed commercial and residential development would not generate a substantial increase in existing ambient noise levels in the area and would be consistent with the noise level guidelines identified in the Element. However, the proposed project would result in siting residential development (Units 14 and 15) in an area subject to noise levels that exceed City standards for required outdoor areas. Noise mitigation in the form of screening is required for those units' outdoor living areas to ensure that they are not subject to noise levels above 60 dB Ldn. Also, the mechanical equipment located above the Whole Foods building must be screened to ensure that outdoor living areas for Units 1-9 are not subjected to noise levels above 60 dB Ldn. Interior noise levels may exceed the 45 dB Ldn requirement threshold. Noise studies based on final construction and equipment specifications will be required and changes to construction materials and/or design may be required based on results from those studies. Short-term construction noise is minimized through implementation of standard mitigation measures. As such, the proposed project may be found potentially consistent with the applicable policies and guidelines of the Noise Element.

4. Circulation Element

The Circulation Element of the General Plan contains goals and implementing measures to reduce adverse impacts to the City's street system and parking by reducing reliance on the automobile, encouraging alternative forms of transportation, reviewing traffic impact standards, and applying land use and planning strategies that support the City's mobility goals. As discussed in this Initial Study analysis, potential traffic and parking related impacts can be mitigated to a less than significant level. Additionally, the project will include public improvements to the pedestrian facilities abutting the site frontage and along the creek. Therefore, the project may be found potentially consistent with the Circulation Element policies relative to traffic and circulation.

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

A draft Mitigation Monitoring and Reporting Program has been prepared for the subject project in compliance with Public Resources Code §21081.6. The draft MMRP is attached as Exhibit B.

ENVIRONMENTAL CHECKLIST

The following checklist contains questions concerning potential changes to the environment that may result if this project is implemented. If no impact would occur, **NO** should be checked. If the project might result in an impact, check **YES** indicating the potential level of significance as follows:

Significant: Known substantial environmental impacts. Further review needed to determine if there are feasible mitigation measures and/or alternatives to reduce the impact.

Potentially Significant: Unknown, potentially significant impacts that need further review to determine significance level and whether mitigable.

Potentially Significant, Mitigable: Potentially significant impacts that can be avoided or reduced to less than significant levels with identified mitigation measures agreed-to by the applicant.

Less Than Significant: Impacts that are not substantial or significant.

1. AESTHETICS Could the project:		**NO**	**YES** *Level of Significance*
a)	Affect a public scenic vista or designated scenic highway or highway/roadway eligible for designation as a scenic highway?		Less than Significant
b)	Have a demonstrable negative aesthetic effect in that it is inconsistent with Architectural Board of Review or Historic Landmarks Guidelines or guidelines/criteria adopted as part of the Local Coastal Program?		Less than Significant
c)	Create light or glare?		Less than Significant

Visual Aesthetics - Discussion

Issues: Issues associated with visual aesthetics include the potential blockage of important public scenic views, project on-site visual aesthetics and compatibility with the surrounding area, and changes in exterior lighting.

Impact Evaluation Guidelines: Aesthetic quality, whether a project is visually pleasing or unpleasing, may be perceived and valued differently from one person to the next, and depends in part on the context of the environment in which a project is proposed. The significance of visual changes is assessed qualitatively based on consideration of the proposed physical change and project design within the context of the surrounding visual setting. First, the existing visual setting is reviewed to determine whether important existing visual aesthetics are involved, based on consideration of existing views, existing visual aesthetics on and around the site, and existing lighting conditions. Under CEQA, the evaluation of a project's potential impacts to scenic views is focused on views from public (as opposed to private) viewpoints. The importance of existing views is assessed qualitatively based on whether important visual resources such as mountains, skyline trees, or the coastline, can be seen, the extent and scenic quality of the views, and whether the views are experienced from public viewpoints. The visual changes associated with the project are then assessed qualitatively to determine whether the project would result in substantial effects associated with important public scenic views, on-site visual aesthetics, and lighting.

Significant visual aesthetics impacts may potentially result from:

- Substantial obstruction or degradation of important public scenic views, including important views from scenic highways; extensive grading and/or removal of substantial amounts of vegetation and trees visible from public areas without adequate landscaping; or substantial loss of important public open space.
- Substantial negative aesthetic effect or incompatibility with surrounding land uses or structures due to project size, massing, scale, density, architecture, signage, or other design features.

- Substantial light and/or glare that poses a hazard or substantial annoyance to adjacent land uses and sensitive receptors.

Visual Aesthetics – Existing Conditions and Project Impacts

1.a) Scenic Views

The project site is located in an urban environment in the North State neighborhood of the City of Santa Barbara. The site is currently developed with one- to three-story buildings and a parking lot. Existing development in the project vicinity includes a mix of primarily one- and two-story buildings containing retail, commercial and residential uses. The proposed development includes a total of four new buildings, two of which are one-story commercial structures and two of which are three-story mixed-use structures. The maximum height of the proposed development is 45 feet above existing grade.

The project site is not located on or visible from a designated scenic highway. Therefore, no impacts to a scenic highway will occur.

The project site is located on the south side of State Street, in an area identified as the Upper State Street corridor. The City recently undertook a comprehensive review of this corridor (Upper State Street Study (USSS)), focusing specifically on development standards, urban design, traffic and circulation. This Study was initiated by the City Council on April 25, 2006 and was approved by the City Council on May 8, 2007 (Resolution No. 07-032). The Study addresses immediate needs for physical improvements and development design standards for the area, consistent with existing policy. The process for creating the USSS included preparation of an Information Booklet to establish a shared understanding of existing conditions related primarily to urban design and traffic (September 2006); preparation of an independent traffic, circulation and parking study; a Public Walking Tour of the Study area (October 2006); two community Workshops (October 2006); preparation of a draft USSS; review of the draft USSS by the public and City Boards and Commissions; and review and approval of the Study by City Council.

As identified in the USSS Information Booklet, the project site is located within the West Sub-area of the Upper State Street Area. The Information Booklet identifies views of the Santa Ynez Mountains as prevalent along the entire Upper State Street corridor, with few exceptions. Mountain views are most significant as one travels east along State Street. As part of the preparation of the USSS Information Booklet, panoramic and standard photos were used to try to capture the visual experience along the State Street corridor, but it is noted that in almost every case, the real life experience is grander than the camera is able to capture. As noted in the USSS Information Booklet, "The peaks of La Cumbre and Montecito create magnificent mountain views that are seen while traveling eastbound on State Street from Highway 101 to Calle Laureles." In the Summary of Improvement Measures approved by the City Council, direction is given to "Maintain the backdrop of panoramic views that contributes to the area's sense of place by protecting or establishing intermittent and recurring mountain view corridors and viewing locations on a block-by-block basis."

The Conservation Element of the General Plan identifies hillsides as an important visual resource in the City. Visual Resources Policy 3.0 of the Conservation Element states " New development shall not obstruct scenic view corridors, including those of the ocean and lower elevations of the City viewed respectively from the shoreline and upper foothills, and of the upper foothills and mountains viewed respectively from the beach and lower elevations of the City."

As the project site is located on the south side of State Street, it would not block any views of the mountains while traveling along State Street. As viewed from Hitchcock Way, just south of the State Street and Hitchcock Way intersection, the project would not significantly change existing views, as there is currently a three-story building located at the corner of the property. The proposed new three-story building to be located approximately ten feet closer to the corner than the existing building; however, the design provides a smaller third floor than the existing building, and the second and third floors are stepped back from the corner. In terms of the building's environmental impact on views, it would have similar visual impacts to the existing development.

The Conservation Element of the General Plan also identifies creek as an important visual resource in the City. Visual Resources Policy 1.0 of the Conservation Element states "Development adjacent to creeks shall not degrade the creeks or their riparian environments." Direction from the Upper State Street Study is to protect and enhance San Roque and Arroyo burro Creeks. Specific improvement measures identified include: reduce impervious surfaces, increase creek buffers and setbacks, incorporate creeks as part of the landscape and public open space, and establish creekside pedestrian paths. Existing site development includes paved parking areas to the top of creek slope and buildings located a minimum of 17 feet from the top of creek slope (approximately 25-50 feet from the 100 year flood elevation line. The proposed

development pulls the main building structures a minimum of 25 feet from the top of creek slope (50 feet from the 100 year flood elevation line), and within the creek setback buffer, development would consist primarily of a permeable pedestrian path, a permeable access road for County Flood Control, an emergency fire access lane and support columns for the vehicle ramp to the roof-top parking. The project also includes a creek restoration and habitat enhancement plan, which will enhance (through removal of non-natives and planting of native species) and extend the vegetated buffer areas along both creek corridors. The proposed habitat enhancement would improve the overall views of the creek, and the proposed pedestrian paths would allow for improved public access to these visual resources.

The project would not significantly obstruct or change scenic views of the mountains, hillside areas or creeks within the City. Therefore, impacts to scenic views are considered *less than significant*.

1.b) On-Site Aesthetics

The existing site development consists of a variety of building types. The project would increase the amount of commercial square footage on site and would include elements of increased structural height overall. The intensity of development would increase with the proposed project. However, the project would also result in a net decrease of paving.

The City's Planning Commission held a conceptual review of the project on July 14, 2005. Minutes from this meeting are included as Exhibit D. In response to Planning Commission comments, revisions were incorporated into the project design, most notably the introduction of the residential component.

The City's ABR reviewed the proposal on February 12, 2007. The ABR had generally favorable comments about the project, including the landscaping, mixed-use concept, sustainable design, and size, bulk and scale; however, there were some concerns with the Circuit City design, the ramp to roof-level parking, and retaining wall heights (refer to Exhibit C for complete Minutes from this meeting).

These reviews were held prior to the initiation and/or conclusion of the Upper State Street Study (USSS), and therefore do not incorporate the recommendations contained therein (see additional discussion below).

The project is located in the Outer State Area neighborhood, as identified in the Upper State Street Area Design Guidelines (1992). These Guidelines are intended to provide direction to architects, designers, applicants and the Architectural Board of Review (ABR) in reviewing the aesthetics of proposed developments in this area. Some of the broader design guidelines identified in that document are as follows: Parking is preferred behind the building; buildings should have setbacks from the street in scale with their height and mass, and respecting the setbacks of adjacent buildings; buildings must have human scale; encourage the planting of large skyline and canopy trees.; new structures should present a harmonious character with existing distinctive architecture where applicable, or shall lead the neighborhood toward designs which are harmonious with Santa Barbara's distinct style. The Guidelines currently provide limited direction to the ABR for development in the Outer State Street Area neighborhood in this area of the City. There is minimal guidance as far as design, preservation of scenic view corridors, landscaping, circulation, pedestrian amenities and parking design. The City's Planning Commission and ABR have for many years hoped to update the existing guidelines for the Upper State Street area.

The Upper State Street Study (USSS) addresses some of these design concerns. As a result of the City Council's adoption of the USSS, the Upper State Street Area Design Guidelines will eventually be updated to 1) require decision-maker findings for approval of three story buildings only when substantial community benefits are provided, 2) protect and/or create view corridors when siting new buildings, 3) step back upper stories to create view corridors, 4) protect views at corners that intersect State Street, 5) allow parking in front of buildings only if necessary to provide scenic view corridors or public viewing locations, 6) require public viewing locations for scenic mountain views when redeveloping parking lots on the south side of State Street, and 7) provide appropriate designs and plant species to frame views but not substantially block them. However, timing of these updates is uncertain and not scheduled for the near future.

The project appears to be generally consistent with these design guidelines, however, decision-makers will need to determine whether or not the community benefits of the project (affordable housing, creek buffers, and improved connectivity) warrant the inclusion of third story elements in the project, and whether the "Shops" building at the corner of State and Hitchcock provides sufficient protection of views at that intersection.

The project is required to receive preliminary and final review and approval by the ABR for consistency with design guidelines for views, visual aesthetics and compatibility, and lighting. These reviews will include analysis of the project recommendations of the USSS.

The proposed project would achieve the goals of maintaining existing views and the feeling of "openness" in the area, and would therefore have a *less than significant* environmental impact related to on-site aesthetics.

1.c) Lighting

The project is located in a primarily commercial area, although there are existing residences (mixed-use development) located approximately 50 feet west of the project site and additional residential development located approximately 240 feet east of the proposed project site. The YMCA is located immediately south of the project site and commercial uses are located north and east of the project site. Existing night lighting in the area is generally of parking lots and for security purposes around buildings. A lighting plan has not been provided for the proposed project; however, lighting is anticipated for security purposes. The project also includes a rooftop parking lot, which will require security lighting in addition to the main ground level parking lot and structures. Additionally, interior lighting of residences would be visible from offsite. New exterior lighting would be required to comply with the requirements of the City's Outdoor Lighting and Design Ordinance (SBMC §22.75), which limits exterior lighting placement and height, and requires that lighting be hooded and directed so that it is not directed offsite. Compliance with this ordinance as enforced by ABR review of the lighting plan would ensure that exterior lighting does not result in a significant impact. Spillover of exterior lighting would adversely increase lighting of the night sky in the area; however, this impact is considered *less than significant*.

Aesthetics Conditions –Mitigation

No mitigation required.

2. AIR QUALITY Could the project:		**NO**	**YES** *Level of Significance*
a)	Conflict with or obstruct implementation of the applicable air quality plan?		Less Than Significant
b)	Exceed any City air quality emission threshold? Long-term		Less Than Significant
	Short-term		Potentially Significant, Mitigable
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is designated in non-attainment under an applicable federal or state ambient air quality standard?		Less Than Significant
d)	Expose sensitive receptors to substantial pollutants?		Potentially Significant, Mitigable
e)	Create objectionable odors affecting a substantial number of people?		Potentially Significant, Mitigable

Air Quality - Discussion

Issues. Air quality issues involve pollutant emissions from vehicle exhaust and industrial or other stationary sources that contribute to smog, particulates and nuisance dust associated with grading and construction processes, and nuisance odors.

Smog, or ozone, is formed in the atmosphere through a series of photochemical reactions involving interaction of oxides of nitrogen [NO_x] and reactive organic compounds [ROG] (referred to as ozone precursors) with sunlight over a period of several hours. Primary sources of ozone precursors in the South Coast area are vehicle emissions. Sources of particulate matter (PM_{10} and $PM_{2.5}$).) include demolition, grading, road dust and vehicle exhaust, as well as agricultural tilling and mineral quarries.

Sensitive receptors are defined as children, elderly, or ill people that can be more adversely affected by air quality emissions. Land uses typically associated with sensitive receptors include schools, parks, playgrounds, childcare centers, retirement homes, convalescent homes, hospitals, and clinics. Stationary sources of air emission are of particular concern to sensitive receptors, as is construction dust and particulate matter.

Long-Term (Operational) Impact Guidelines: A project may create a significant air quality impact by:

- Exceeding an APCD pollutant threshold; inconsistency with District regulations; or exceeding population forecasts in the adopted County Clean Air Plan.
- Exposing sensitive receptors, such as children, the elderly or sick people to substantial pollutant exposure.
- Creating nuisance odors inconsistent with APCD regulations.
- Emitting (from all project sources, both stationary and mobile) more than 240 pounds per day for ROG and NO_x, and 80 pounds per day for PM_{10};
- Emitting more than 25 pounds per day of ROG or NO_x from motor vehicle trips only;
- Contributing more than 800 peak hour trips to an individual intersection (CO);
- Causing a violation of any California or National Ambient Air Quality Standard (except ozone);
- Exceeding the APCD health risks public notification thresholds adopted by the APCD Board; and
- Being inconsistent with the adopted federal and state air quality plans for Santa Barbara.

Short-Term (Construction) Impacts Guidelines: A project would have a significant impact if combined emissions from all construction equipment exceed 25 tons of any pollutant (except carbon monoxide) within a 12-minth period.

Projects involving grading, paving, construction, and landscaping activities may cause localized nuisance dust impacts and increased particulate matter (PM_{10} and $PM_{2.5}$). Substantial dust-related impacts may be potentially significant, but are generally considered mitigable with the application of standard dust control mitigation measures. Standard dust mitigation measures are applied to projects with either significant or less than significant effects.

Cumulative Impacts and Consistency with Clean Air Plan: If the project-specific impact exceeds the significance threshold, it is also considered to have a considerable contribution to cumulative impacts. When a project is not accounted for in the most recent Clean Air Plan (CAP) growth projections, then the project's impact may also be considered to have a considerable contribution to cumulative air quality impacts. The Santa Barbara County Association of Governments and Air Resources Board on-road emissions forecasts are used as a basis for vehicle emission forecasting. If a project provides for increased population growth beyond that forecasted in the most recently adopted CAP, or if the project does not incorporate appropriate air quality mitigation and control measures, or is inconsistent with APCD rules and regulations, then the project may be found inconsistent with the CAP and may have a significant impact on air quality.

Setting: The City of Santa Barbara is part of the South Coast Air Basin (SCAB). The City is subject to the National Ambient Air Quality Standards and the California Ambient Air Quality Standards (CAAQS), which are more stringent than the national standards. The CAAQS apply to six pollutants: photochemical ozone, carbon monoxide, sulfur dioxide, nitrogen dioxide, particulate matter, and lead. The Santa Barbara County Air Pollution Control District (SBCAPCD) provides oversight on compliance with air quality standards and preparation of the County Clean Air Plan.

The SCAB is considered in attainment of the federal eight-hour ozone standard, and in attainment of the state one-hour ozone standard. The SCAB does not meet the state standard for particulate matter less than ten microns in diameter (PM_{10}). There is not yet enough data to determine SCAB attainment status for either the federal standard for particulate matter less than 2.5 microns in diameter ($PM_{2.5}$) or the state $PM_{2.5}$ standard, although SCAB will likely be in attainment for the federal 2.5 standard.

Air Quality – Existing Conditions and Project Impacts

2.a) Clean Air Plan

Direct and indirect emissions associated with the project are accounted for in the CAP emissions growth assumptions. Appropriate air quality mitigation measures, including construction dust suppression, would be applied to the project,

consistent with CAP and City policies. The project could be found consistent with the Clean Air Plan; therefore impacts would be *less than significant*.

2.b) Air Pollutant Emissions

Long-Term (Operational) Emissions:

Long-term project emissions primarily stem from motor vehicles associated with the project and from stationary sources that may require permits from the APCD. Examples of stationary emission sources include gas stations, auto body shops, diesel generators, dry cleaners, oil and gas production and processing facilities, and water treatment facilities. Other stationary sources such as small wineries, residential heating and cooling equipment, wood burning stoves and fireplaces, or other individual appliances do not require permits from the APCD and are known as "area sources". The proposed project does not contain any stationary sources that require permits from APCD. Utilizing the URBEMIS 9.2.4 computer model, it is estimated that the proposed project will generate the following emissions:

AREA SOURCE (STATIONARY) **EMISSION ESTIMATES**
(lbs/day, unmitigated)

	ROG	NOx
PROPOSED	1.98	0.91
EXISTING	1.46	1.19
TOTAL NET	**0.52**	**-0.28**

OPERATIONAL (MOTOR VEHICLE) **EMISSION ESTIMATES**
(lbs/day, unmitigated)

	ROG	NOx
PROPOSED	46.16	65.03
EXISTING	41.11	63.73
TOTAL NET	**5.05**	**1.30**

AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES
(lbs/day, unmitigated)

	ROG	NOx	PM 10
PROPOSED	48.14	65.94	62.56
EXISTING	42.57	64.92	57.58
TOTAL NET	**5.57**	**1.02**	**4.98**

Project emissions would be less than the SBCAPCD's adopted thresholds of significance. Long-term emissions resulting from the proposed project would be substantially below significance thresholds adopted by the SBAPCD and the City of Santa Barbara. Therefore, the proposed project would have a *less than significant* impact on the environment related to long-term air quality.

Short-Term (Construction) Emissions:

The project would involve grading, paving, and landscaping activities which could cause localized dust related impacts resulting in increases in particulate matter (PM_{10}). Dust-related impacts are considered *potentially significant, but mitigable* with the application of standard dust control mitigation measures.

Construction equipment would also emit NO_x and ROG. However, in order for NO_x and ROG emissions from construction equipment to be considered a significant environmental impact, combined emissions from all construction equipment would need to exceed 25 tons of any pollutant (except carbon monoxide) within a 12-month period. Utilizing the URBEMIS 9.2.4 computer model, it is estimated that the proposed project will generate 1.81 tons per year of NO_x and 1.39 tons per year of ROG during construction. Therefore, the proposed project is anticipated to have a *less than significant* effect on the environment.

Cumulative Impacts:

Global Climate Change (GCC) is a change in the average weather of the earth that can be measured by changes in wind patterns, storms, precipitation and temperature. GCC is generally thought to be caused by increased emission of greenhouse gases (GHG) because these gases trap heat in the atmosphere. Common GHG include water vapor, carbon dioxide, methane, nitrous oxides, chlorofluorocarbons, hydrofluorocarbons, ozone and aerosols. Natural processes and human activities emit GHG and help to regulate the earth's temperature; however, it is believed that substantial emissions from human activities, such as electricity production and vehicle use, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations. California is a substantial contributor of GHG (2nd largest contributor in the U.S. and the 16th largest contributor in the world), with transportation and electricity generation representing the two largest contributing factors (41 and 22 percent, respectively).

The carbon dioxide (CO_2) equivalent is a consistent methodology for comparing GHG emissions. Area source and operational emission estimates for the project's CO_2 emissions are as follows:

CO_2 Emissions	Proposed (lbs/day)	Existing (lbs/day)	Net Increase (lbs/day)
TOTAL	33,785.14	32,091.59	**1,693.55**

The net increase in CO_2 emissions is anticipated to be 1,693.55 pounds per day. As there are currently no significance thresholds for CO_2 emissions or measuring GCC, this information is provided for informational purposes only.

As the project will result in increased vehicle trips, it will contribute, on a cumulative level, to the generation of GHG emissions. Because no significance thresholds or regulatory guidance currently exists for the generation of GHG emissions, impact determination would be overly speculative at this time. The City has adopted ordinances and guidelines in an effort to reduce the energy consumption of new construction. These measures to require more "green" construction serve to reduce GHG emissions from new and some refurbished development. Also, the City is in the process of preparing revisions to its General Plan. During the analysis of the impacts of the new plan, additional guidance on how to deal with GHG emissions is anticipated.

2.c) Cumulative Emissions

Since project impacts do not exceed the significance thresholds and the project is consistent with the CAP, project cumulative impacts would be *less than significant.*

2.d) Sensitive Receptors

The proposed project would generate less than 800 new peak hour vehicle trips to any intersection and therefore would be unlikely to generate dangerous concentrations of carbon monoxide at any location.

Additionally, the project does not include stationary sources. However, sensitive receptors could be affected by dust and particulates during project site grading. Impacts associated with nuisance dust and particulates are considered *potentially significant, mitigable* through application of dust control mitigation measures.

2.c) Odors

The project includes a variety of uses, including a grocery store that contains cooking facilities. This type of land use is associated with odorous emissions, which could be a *potentially significant* impact. In order to reduce potential odorous emissions, a mitigation measure requiring an Odor Abatement Plan (OAP) has been included. With implementation of the OAP, project impacts related to odors would be considered *less than significant.*

Air Quality – Required Mitigation

AQ-1 Construction Dust Control – Minimize Disturbed Area/Speed. Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.

AQ-2 Construction Dust Control - Watering. During site grading and transportation of fill materials, regular water sprinkling shall occur using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of

either water trucks or sprinkler systems, shall be applied to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.

Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.

AQ-3 **Construction Dust Control – Tarping.** Trucks transporting fill material to and from the site shall be covered from the point of origin.

AQ-4 **Construction Dust Control – Gravel Pads.** Gravel pads shall be installed at all access points to prevent tracking of mud on to public roads.

AQ-5 **Construction Dust Control – Stockpiling.** If importation, exportation and stockpiling of fill material are involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

AQ-6 **Construction Dust Control – Disturbed Area Treatment.** After clearing, grading, earth moving or excavation is completed, the entire area of disturbed soil shall be treated to prevent wind pickup of soil. This may be accomplished by:

A. Seeding and watering until grass cover is grown;

B. Spreading soil binders;

C. Sufficiently wetting the area down to form a crust on the surface with repeated soakings as necessary to maintain the crust and prevent dust pickup by the wind;

D. Other methods approved in advance by the Air Pollution Control District.

AQ-7 **Construction Dust Control – Paving.** All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

AQ-8 **Construction Dust Control – PEC.** The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when construction work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading for the structure.

AQ-9 **Odor Abatement Plan.** Prior to approval of the Land Use Permits (Development Plans and/or Tentative Map), the City shall approve an Odor Abatement Plan (OAP) as part of the project lease agreement terms, for businesses that operate odorous emission sources (e.g., markets with cooking facilities, restaurants, businesses with truck loading docks). The Air Pollution Control District (APCD) will review the OAP for adequacy in mitigating potential nuisance odor impacts from the project. OAPs shall include the following elements:

A. Name and telephone number of contact person(s) at the facility responsible for logging in and responding to odor complaints.

B. Policy and procedure describing the actions to be taken when an odor complaint is received, including the training provided to the staff on how to respond.

C. Description of potential odor sources at the facility.

D. Description of potential methods for reducing odors, including minimizing idling of delivery and service trucks and buses, process changes, facility modifications and/or feasible add-on air pollution control equipment.

E. Contingency measures to curtail emissions in the event of a public nuisance complaint.

Air Quality – Recommended Mitigation

AQ-10 Exhaust Emissions. Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) shall be utilized wherever feasible.

AQ-11 Engine Size. The engine size of construction equipment shall be the minimum practical size.

AQ-12 Equipment Numbers. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.

AQ-13 Equipment maintenance. Construction equipment shall be maintained to meet the manufacturer's specifications.

AQ-14 Engine Timing. Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines.

AQ-15 Catalytic Converters. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.

AQ-16 Diesel Catalytic Converters. Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed, if available.

AQ-17 Diesel Replacements. Diesel powered equipment shall be replaced by electric equipment whenever feasible.

AQ-18 Idling Limitation. Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes; auxiliary power units shall be used whenever possible.

Air Quality - Residual Impacts

Implementation of Mitigation Measures AQ-1 through AQ-8 would reduce impacts related to dust generation during construction to a less than significant level. Mitigation Measure AQ-9 would reduce potential odorous emissions impacts from the cooking facilities associated with the Whole Foods Market to a less than significant level. Less than significant construction traffic and equipment emissions would be further reduced by implementation of Mitigation Measure AQ-10-18.

3. BIOLOGICAL RESOURCES Could the project result in impacts to:		**NO**	**YES** *Level of Significance*
a)	Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)?		Potentially Significant, Mitigable
b)	Locally designated historic, Landmark or specimen trees?		Less than Significant
c)	Natural communities (e.g. oak woodland, coastal habitat, etc.).		Potentially Significant, Mitigable
d)	Wetland habitat (e.g. marsh, riparian, and vernal pool)?		Potentially Significant, Mitigable
e)	Wildlife dispersal or migration corridors?		Less Than Significant

Biological Resources - Discussion

Issues: Biological resources issues involve the potential for a project to substantially affect biologically-important natural vegetation and wildlife, particularly species that are protected as rare, threatened, or endangered by federal or state wildlife agencies and their habitat, native specimen trees, and designated landmark or historic trees.

Impact Evaluation Guidelines: Existing native wildlife and vegetation on a project site are qualitatively assessed to identify whether they constitute important biological resources, based on the types, amounts, and quality of the resources within the context of the larger ecological community. If important biological resources exist, project effects to the resources are qualitatively evaluated to determine whether the project would substantially affect these important

biological resources. Significant biological resource impacts may potentially result from substantial disturbance to important wildlife and vegetation in the following ways:

- Elimination or substantial reduction or disruption of important natural vegetative communities and wildlife habitat or migration corridors, such as oak woodland, coastal strand, riparian, and wetlands.
- Substantial effect on protected plant or animal species listed or otherwise identified or protected as endangered, threatened or rare.
- Substantial loss or damage to important native specimen trees or designated landmark or historic trees.

Biological Resources – Existing Conditions and Project Impacts

The project site is bounded on the west and south sides by Arroyo Burro and San Roque Creeks, respectively. The project site is relatively flat except where the site descends along the creek banks to the stream channels of Arroyo Burro and San Roque Creeks. The site is entirely developed with impermeable surfaces (buildings or hardscape) to the top of slope of the two creeks. The top of slope is located approximately 8-25 feet beyond the biologist recommended top of bank along San Roque Creek. The top of slope is located approximately 6-15 feet beyond the biologist recommended top of bank along Arroyo Burro Creek. Proposed development includes demolition of all site improvements and construction of new commercial, retail and residential space. Included as part of the project is a Creekside Restoration Monitoring and Maintenance Plan (Exhibit J), which includes restoration of the Arroyo Burro and San Roque Creek channel banks and setback areas, and stabilization of Arroyo Burro Creek. The Arroyo Burro Creek stabilization plan is included within the Creek Stability Analysis prepared by Questa and dated May 9, 2006 (Exhibit G). This plan proposes to place fill into the existing channel of Arroyo Burro Creek to recreate a more stable, steeper gradient thereby increasing channel width, reducing flow depth, reducing channel scour forces and ensuring greater bank toe stability. This is needed because Arroyo Burro Creek is actively eroding, and over time, the bank top could retreat up to 10 feet if not stabilized. Eight boulder grade controls would be placed in the creek bed. A total of approximately 800 to 900 yards of material and 800 tons of rock would be used to fill the creek channel bottom by up to five feet. Army Corp. of Engineers, Regional Water Quality Control Board and Department of Fish and Game have reviewed the proposed and indicated support (in concept).

The applicant is proposing a minimum 50-foot setback from the 100-year flood elevation/biologist-recommended top of bank to the proposed buildings. This correlates to a minimum 22-foot setback from the top of slope on San Roque Creek, and a minimum 37-foot setback from the top of slope on Arroyo Burro Creek. It should be noted that the Santa Barbara Municipal Code (SBMC) creek setback (SBMC §28.87.250) does not apply to these creeks. However, the applicant has shown this SBMC "calculated top of bank" on the plans (and a 25-foot setback from this calculated top of bank to the building is proposed) for informational purposes. Within the proposed creek setback area, the following non-habitable development is proposed: a pedestrian path; a fire access lane; an access road for County Flood Control; support columns for, and a portion of, the vehicle ramp to the roof-top parking; a portion of the truck receiving ramp to the subterranean parking area; and stairs and front yards for the creekside residential units.

Overall, the project results in increased setbacks (both building and impermeable areas) from the creek, a reduction in the amount of impervious surfaces, reduced runoff into the creek and various best Management Practices for the treatment of stormwater runoff.

3.a,) Endangered, Threatened or Rare Species and Habitats

Twenty-two native plant species were recorded onsite. No special-status plant species or endangered or threatened plant species were observed during any of the site visits and, due to the primarily developed and disturbed nature of the site, none are expected to occur. Three sensitive plant species are known to occur in the project vicinity: Plummer's baccharis, Santa Barbara honeysuckle and bitter gooseberry. These species are characterized as perennial shrubs and subshrubs, and as such, would have been detected onsite if present. Therefore, *no impacts* to special-status plant species are anticipated.

Per the Biological Resources Letter Report, common reptiles and amphibians expected to be present at the site include the Pacific tree frog, western toad, black-bellied slender salamander and the western fence lizard. The site is not expected to support a diverse assemblage of mammals due to its highly urbanized location, and none were observed during surveys in 2004, 2005 and 2007. Mammals that may occur onsite include the Virginia opossum, broad-footed mole, Botta's pocket gopher, Merriam's chipmunk, western gray squirrel, raccoon, deer mouse, brush mouse, California mouse, black rat, gray fox and striped skunk. Birds observed on the site during the 2007 survey include Anna's hummingbird, black phoebe,

acorn woodpecker, northern mockingbird, American crow, Bewick's wren, and song sparrow. Several other bird species have a potential to occur onsite based on suitable habitat, appropriate geographic range, and based on prior observations; these are identified in the Biological Resources Letter Report. Additionally, because the site supports a variety of tall, mature trees forming a dense canopy with scattered open areas, the project site may provide foraging and roosting along with limited nesting opportunities for a number of raptors including the red-tailed hawk, red-shouldered hawk, Cooper's hawk, great horned owl, barn owl and western screech owl (Tierney, 2005). Invertebrate species identified onsite during the 2007 survey include the monarch butterfly, red admiral and cabbage butterfly. Pale swallowtail, tiger swallowtail, anise swallowtail, Pacific sara orangetip, checkered white, behr's metalmark, west coast lady and painted lady may also occur onsite. Of the wildlife species occurring or potentially occurring at the subject site, special status species include the monarch butterfly, Cooper's hawk, red-tailed hawk, red-shouldered hawk, sharp-shinned hawk, California red-legged frog, tidewater goby, southern steelhead, Southwestern pond turtle, Pale big-eared bat, Pallid bat, Yellow-breasted chat, Northern harrier, White-tailed kite, Blue grosbeak, Yellow warbler, two-striped garter snake and Silvery legless lizard. Based on the analysis in the Biological Letter Report, *potentially significant, mitigable* impacts to the monarch butterfly and raptor species may occur as a result of proposed tree removal and construction activities (including noise). These impacts can be reduced to a *less than significant* level through implementation of proposed mitigation measures that include pre-construction nesting bird surveys, biological monitoring and construction phasing.

The Biological Resources Letter Report indicates that some temporary adverse impacts to sensitive wildlife due to construction-related noise may occur could. However, implementation of standard construction Best Management Practices (BMPs) and compliance with NPDES requirements are required as City-standard conditions of approval, and thus short-term construction impacts to sensitive wildlife are considered a *less than significant* impact.

3.b) Specimen Trees.

The project site does not contain any City-designated Historic, Landmark or Specimen trees. A Tree Inventory was prepared for the site by Bill Spiewak on October 12, 2005 (see Exhibit L). A total of 93 trees were identified as having a diameter at breast height of more than 6 inches. The existing site parking lot contains many Lemon gum eucalyptus trees, almost all of which are proposed to be removed. One Oak is proposed for removal, but has been deemed in poor condition. Several trees located around the perimeter of the site are proposed to remain, including three Oaks, seven Sycamores, a row of Eucalyptus globulus and Oak, a Tristania conferta, four Tristaneopsis laurinas, eight podocarpus gracilors, a Carrotwood, an Avocado, and nine Lemon Gum Eucalyptus.

New skyline trees such as Lemon Gum Eucalyptus and California Sycamore, and fruit or flowering tress such as Bottle Tree, Loquat, Coral, Orange and Fruitless Olive are proposed within the new parking lot. The Restoration Plan includes new trees within the creek area, including White Alder, Toyon, California Walnut, Western Sycamore, Black Cottonwood, Coast Live Oak, Willow and Elderberry. Although the project includes removal of many existing mature trees, the most visible perimeter trees are proposed to remain, and the proposed landscaping and restoration plans include many new trees, which will offset the loss of the existing trees. Impacts related to the loss of specimen trees is considered *less than significant*; however, mitigation measures have been recommended to ensure that those trees proposed to remain are adequately protected.

3.c,d) Natural Communities and Wetland Habitat.

The Biological Resources Letter Report, prepared by Dudek and dated November 6, 2007 (Exhibit K), identified five vegetation communities on the project site: Southern Willow Scrub (0.20 acre, located near the confluence of San Roque and Arroyo Burro Creek), Disturbed Wetland (0.29 acre, located within each of the Creeks), Eucalyptus (0.22 acre, located along portion of San Roque Creek that bisects the southern portion of the property), Ornamental Landscaping (0.15 acre, located along the upper west slopes of Arroyo Burro Creek) and Developed Land (4.56 acres, located adjacent to both creek banks). Southern willow scrub and Disturbed wetland are considered wetlands communities and may be under the jurisdiction of the California Department of Fish and Game (CDFG), the Army Corp. of Engineers (ACOE) and the Regional Water Quality Control Board (RWQCB). The installation of grade structures and channel stabilization proposed as part of the project will result in direct impacts to approximately 0.21 acre of sensitive vegetation communities (0.16 acre of disturbed wetland, 0.02 acre of southern willow scrub, and 0.03 acre of developed land). These impacts to vegetation communities are *potentially significant, mitigable*. Implementation of the proposed Creekside Restoration and Habitat Enhancement Plan, which includes eradication of weeds and exotics and replanting with native species, and replacement of sensitive vegetation communities at minimum ratios, would reduce potential impacts to less than

significant levels. The project has been reviewed in concept by the ACOE, RWQCB and CDFG, and they are conceptually in accordance with the proposal, although permits will be required from each of the agencies.

Indirect impacts from long-term human occupation/use of the site (i.e. noise, lighting, urban pollutants, hydrological changes) also have the potential to result in impacts to sensitive wetland communities. However, the Biological Resources Letter Report indicates that the proposed project design, including permeable surfaces, drop-inlet filters, stormwater treatment and the creek restoration and bank stabilization, would result in *less than significant* long-term, indirect impacts to vegetation communities.

The Biological Resources Letter Report indicates that some temporary adverse impacts to water quality and natural resources within the creek would occur as a result of construction. However, implementation of standard construction Best Management Practices (BMPs) and compliance with NPDES requirements are required as City-standard conditions of approval, and thus short-term construction impacts are considered a *less than significant* impact.

3.e) Wildlife Dispersal or Migration Corridors

There are no known migration corridors through the project site and the project would not affect wildlife dispersal. The project includes creek restoration measures, including removal of invasive plant species and replacement with native species, which will result in an overall benefit to wildlife using the creeks. Therefore, impacts to wildlife dispersal or migration corridors are considered *less than significant*.

Biological Resources – Required Mitigation

BIO-1 Vegetation Communities and Wetland Permitting. Mitigation for permanent impacts to jurisdictional waters of the U.S., including wetlands, shall occur at the following minimum ratios: southern willow scrub, 3:1 and disturbed wetland, 2:1. This requires roughly 0.38 acre of mitigation, which is anticipated to occur onsite within San Roque and Arroyo Burro Creeks. Prior to the issuance of a grading permit, the Owner shall obtain the following wetland permits from the resource agencies: a Section 404 permit from the ACOE; a Section 1602 Lake and Streambed Alteration Agreement from the CDFG; and a Section 401 Water Quality Certificate from the RWQCB.

BIO-2 Final Creekside Restoration Monitoring and Maintenance Plan. This Plan shall include:

A. More detailed information on the intended planting and seeding. The report shall also include an additional planting legend table to indicate the species to be provided from contained plants, the assumed percentage composition of each species, the spacing and assumed sizes from contained plants.

B. More detailed information on the proposed irrigation requirements.

C. Additional information in Section 6.3 (Performance Criteria) and Table 2 (Performance Criteria Matrix) to provide guidelines for percent native versus non-native cover throughout the five-year monitoring period. These guidelines shall provide specific cover goals to be achieved by the end of each year and to which the collected transect data would be evaluated.

BIO-3 Plant Palettes. All plant palates shall be reviewed by a qualified biologist and/or habitat restoration specialist familiar with those plants native or endemic to this region of California.

BIO-4 Tree Removal. Prior to tree removal, a qualified habitat restoration specialist shall clearly mark those trees targeted for removal to ensure that native trees, including willow and coast live oak, are protected.

BIO-5 Lighting. Avoid and/or minimize the use of lighting along the backside of the buildings facing San Roque or Arroyo Burro Creek. In parking areas, lighting fixtures shall comply with City standards for shielded, low wattage lighting designed to cut glare and light scatter and to direct light away from sensitive biological resources.

BIO-6 Biological Monitor. A qualified biological monitor shall be present while crews are working within San Roque and/or Arroyo Burro Creek to enforce wetland permit conditions.

BIO-7 Avian Nesting Survey. If project construction occurs during the migratory bird nesting season (typically February 15 through July 1 in the Santa Barbara region), a focused avian nesting survey shall be performed by a qualified wildlife biologist 72 hours prior to construction in accordance with the Migratory Bird Treaty Act

(MBTA) (16 U.S.G. 703-712). If an active bird nest is found prior to construction, the nest will be flagged and mapped on the construction plans along with an appropriate buffer, which will be determined by the biologist based on the biology of the species. Construction or weed eradication work shall not occur within 200 feet of active raptor or other sensitive avian nests located during this survey until young have left the nest. The nest area will be avoided until the nest is vacated and the juveniles have fledged. The nest area will be demarcated in the field with flagging and stakes or construction fencing.

BIO-8 Monarch butterfly Survey. A one-time survey for monarch butterfly shall occur prior to eucalyptus tree removal to ensure that temporary roost sites are not adversely impacted.

BIO-9 Creek Bed Construction Timing. Any work that is to occur in the bed of San Roque or Arroyo Burro Creek shall occur outside of the rainy season, where feasible and practicable, to minimize impacts to active flow.

BIO-10 Creek Delineation. The work perimeter within San Roque and Arroyo Burro Creek shall be adequately flagged prior to the start of work to ensure that impacts to sensitive vegetation communities are minimized throughout the course of construction.

BIO-11 Construction Activities. Activities involving soil disturbance and vegetation removal associated with the proposed creek stabilization shall include construction phase erosion control and polluted runoff control plans.

BIO-12 Construction Best Management Practices. All site preparation and construction activities shall address water quality through the use of BMPs, as approved by the Building & Safety Division.

BIO-13 Staging Areas. All equipment maintenance, staging areas, and dispensing of fuel, oil, or other hazardous materials shall occur in designated upland areas outside of any adjacent waters of the U.S. or other biologically sensitive habitat.

Biological Resources – Recommended Mitigation

BIO-14 Tree Protection Measures. All trees proposed to remain shall be protected as identified in the Tree Protection Plan (Sheet L1-1) dated April 11, 2007.

Biological Resources - Residual Impacts

Implementation of the required mitigation measures would mitigate potential biological resource impacts to less than significant levels. Implementation of recommended mitigation would further reduce less than significant impacts.

4. CULTURAL RESOURCES Could the project:		NO	YES *Level of Significance*
a)	Disturb archaeological resources?		Potentially Significant, Mitigable
b)	Affect a historic structure or site designated or eligible for designation as a National, State or City landmark?	X	
c)	Have the potential to cause a physical change which would affect ethnic cultural values or restrict religious uses in the project area?	X	

Cultural Resources - Discussion

Issues: Archaeological resources are subsurface deposits dating from Prehistoric or Historical time periods. Native American culture appeared along the channel coast over 10,000 years ago, and numerous villages of the Barbareno Chumash flourished in coastal plains now encompassed by the City. Spanish explorers and eventual settlements in Santa Barbara occurred in the 1500's through 1700's. In the mid-1800's, the City began its transition from Mexican village to American city, and in the late 1800's through early 1900's experienced intensive urbanization. Historic resources are above-ground structures and sites from historical time periods with historic, architectural, or other cultural importance. The City's built environment has a rich cultural heritage with a variety of architectural styles, including the Spanish

Colonial Revival style emphasized in the rebuilding of Santa Barbara's downtown following a destructive 1925 earthquake.

Impact Evaluation Guidelines: Archaeological and historical impacts are evaluated qualitatively by archeologists and historians. First, existing conditions on a site are assessed to identify whether important or unique archaeological or historical resources exist, based on criteria specified in the State CEQA *Guidelines* and City Master Environmental Assessment *Guidelines for Archaeological Resources and Historical Structures and Sites*, summarized as follows:

- Contains information needed to answer important scientific research questions and there exists a demonstrable public interest in that information.
- Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- Is directly associated with an important prehistoric or historic event or person.

If important archaeological or historic resources exist on the site, project changes are evaluated to determine whether they would substantially affect these important resources.

Cultural Resources – Existing Conditions and Project Impacts

4.a) Archaeological Resources

The City Master Environmental Assessment (MEA) indicates that the project site is located within a Prehistoric Watercourse cultural resources sensitivity area. A Phase I archaeological survey of a portion of the site was conducted in 2001, and another Phase 1 archaeological survey of the larger project site was conducted in May 2005. Results of the 2005 survey indicate that there is the potential for buried cultural resource deposits to be contained beneath the existing pavement or buildings. Therefore, impacts related to archaeological resources are considered *potentially significant, mitigable* by conducting monitoring during initial ground disturbing activities.

4.b) Historic Resources

The project site is currently developed with commercial buildings, the oldest of which were constructed approximately 35 years ago (1973), with additions and remodels occurring through the last five years. The structures on the site are not considered to have historic merit. *No impacts* to historic structures or sites would occur as a result of the proposed project.

4.c) Ethnic/Religious Resources

There is no evidence that the site involves any ethnic or religious use or importance. The project would have *no impact* on historic, ethnic or religious resources.

Cultural Resources – Required Mitigation

CR-1 **Archaeological Monitoring.** Submit to the Planning Division a contract with an archaeologist from the most current City Qualified Archaeologists List for monitoring during initial ground-disturbing activities associated with the project, including, but not limited to, grading, excavation, trenching vegetation or paving removal and ground clearance in the areas identified in the Phase I Archaeological Resources Report prepared for this site by Western Points Archaeology, dated May 2005. The contract shall be subject to the review and approval of the Planning Division. The contract shall include standard discovery measures per the City's MEA.

CR-2 **Discovery Procedures and Mitigation.** Standard discovery measures shall be implemented per the City Master Environmental Assessment throughout grading and construction:

Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts.

If during any grading or construction on the site such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and a City-approved archaeologist shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, including but not limited to redirection of grading and/or excavation activities. If the findings are potentially significant, further analysis and/or other

mitigation shall be prepared and accepted by the Environmental Analyst and the Historic Landmarks Commission, and implemented by the project Work in the area may only proceed after the Environmental Analyst grants authorization.

If prehistoric or other Native American remains are encountered, a Native American representative shall be consulted, and the archaeologist and Native American representative shall monitor all further subsurface disturbances in the area of the find.

If the discovery consists of potentially human remains, the Santa Barbara County Coroner and the California Native American Heritage Commission must also be contacted.

A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to the issuance of final City permits.

Cultural Resources - Residual Impacts

Implementation of the required monitoring and discovery measures would mitigate potential cultural resource impacts associated with archaeological resources to less than significant levels.

5. GEOPHYSICAL CONDITIONS Could the project result in or expose people to:		***NO***	***YES*** ***Level of Significance***
a)	Seismicity: fault rupture?		Less than Significant
b)	Seismicity: ground shaking or liquefaction?		Potentially Significant, Mitigable
c)	Seismicity: seiche or tsunami?	X	
d)	Landslides or mudslides?	X	
e)	Subsidence of the land?		Less than Significant
f)	Expansive soils?		Less than Significant
g)	Excessive grading or permanent changes in the topography?		Less than Significant

Geophysical Conditions - Discussion

Issues: Geophysical impacts involve geologic and soil conditions and their potential to create physical hazards affecting persons or property; or substantial changes to the physical condition of the site. Included are earthquake-related conditions such as fault rupture, groundshaking, liquefaction (a condition in which saturated soil looses shear strength during earthquake shaking); or seismic sea waves; unstable soil or slope conditions, such as landslides, subsidence, expansive or compressible/collapsible soils; or erosion; and extensive grading or topographic changes.

Impact Evaluation Guidelines: Potentially significant geophysical impacts may result from:

- Exposure to or creation of unstable earth conditions due to seismic conditions, such as earthquake faulting, groundshaking, liquefaction, or seismic waves.
- Exposure to or creation of unstable earth conditions due to geologic or soil conditions, such as landslides, settlement, or expansive, collapsible/compressible, or expansive soils.
- Extensive grading on slopes exceeding 20%, substantial topographic change, destruction of unique physical features; substantial erosion of soils, overburden, or sedimentation of a water course.

Geophysical Conditions – Existing Conditions and Project Impacts

5.a-c) Seismic Hazards

Fault Rupture: The City Master Environmental Assessment (MEA) identifies the project site as not located on or near a known fault or fault zone. The site is not located in an Alquist-Priolo Earthquake Fault Zone. The closest known active faults to the site are the Santa Ynez and Red Mountain faults. These faults are located approximately 7.8 km to the north and 8.6 km to the southeast of the site, respectively. The Mission Ridge-Arroyo Parida-Santa Ana and the La Mesa-Rincon Creek faults are the closest recognized potentially active faults to the site. These faults are located approximately 0.2 km to the south (More Ranch segment) and 0.55 km to the southwest of the southwestern corner of the site, respectively. Because no known active or potentially active faults are located within or immediately adjacent to the subject site, potential impacts associated with fault rupture from proposed development would be *less than significant.*

Ground Shaking and Liquefaction: The project site is located in a seismically active area of southern California. Significant ground shaking as a result of a local or regional earthquake is likely to occur during the life of the project. Ground shaking and liquefaction are considered *potentially significant, mitigable* impacts. The City Master Environmental Assessment (MEA) indicates that the project site is located in an area of anticipated low damage level to 1- to 3-story structures, and moderate damage level with larger structures from potential earthquake ground shaking. Future development would be required to comply with building code requirements that would minimize potential hazards associated with ground shaking. The site is considered to be minimally susceptible to liquefaction in the event of a strong earthquake per the City's MEA. According to the Arroyo Geotechnical Reports prepared in 2005 and 2006 (Exhibits H and I), continuous liquefied layers are not anticipated to exist at the project site and seismically induced soil settlement will only occur within localized zones. Further, the types of soils present (predominantly silty clay and sandy silt interbedded with silty sand) are less prone to liquefaction than a more granular material would be. Precautionary measures are proposed by the Soils Engineer to address (mitigate) any potentially significant impacts associated with ground shaking or liquefaction.

Seiche or Tsunami: The project site is not located within the tsunami run-up zone as identified in the City's Master Environmental Assessment, and the site is located approximately 3 miles from the Pacific Ocean at an approximate elevation of 200 feet. Per the Arroyo Geotechnical Report (2005), tsunamis are not considered a hazard at the project site. Seiche refers to seismic waves within an enclosed water body in response to ground shaking. There are no dams, lakes or other water retaining structures nearby this site. *No impacts* related to tsunami or seiche are anticipated.

5.d-f) Geologic or Soil Instability

Landslides: According to the Engineering Geology Reports prepared for the site (Exhibits H and I- Arroyo Geotechnical Report (2005 and 2006)), the possibility of damage to the proposed project as a result of a landslide is low. The project site topography is flat in the areas of proposed development and therefore *no impacts* associated with landslide hazards would occur

Subsidence: The potential for subsidence on the site is considered low, and impacts are considered *less than significant*. Further, recommendations in the Engineering Geology Report prepared for the site include overexcavation and replacement of soils such that any risk from subsidence would be substantially reduced.

Expansive Soils: The City Master Environmental Assessment (MEA) indicates that the majority of the project site has minimal erosion potential, with the exception being areas within the creek corridor, where there is active erosion potential. According to the Arroyo Geotechnical Report (2005), the soils on site have low potential expansion, with a measured Expansion Index of 22. Potential impacts associated with expansive soil are considered *less than significant.*

The Project includes improvements within Arroyo Burro creek corridor to address the existing erosion problem, making creek erosion self mitigating with the Project (refer to Creek Stability Analysis prepared by Questa and dated May 9, 2006 (Exhibit G). These improvements include reestablishing the historical creek channel grade (using fill) and placing grade control features (boulders) in the channel. This portion of the project is described in more detail in Section 3 Biological Resources.

5.g) Topography/Grading

Grading for the proposed development is estimated at 30,500 cubic yards of cut/excavation (primarily for the subterranean truck receiving area and parking area) and 2,300 cubic yards of fill. Site preparation would include demolition of all

existing site improvements, including buildings and the parking lot, as well as a partial re-routing of the sewer line. Removal of these will result in disturbed soils. Although the project will require excavation, it is to construct underground truck delivery and receiving areas for the project; therefore, the proposed grading would not result in a significant alteration of the natural landform or substantially change the existing topography of the site. Impacts associated with landform changes (grading) on the main project site are considered *less than significant*.

Grading and topographical changes within the Arroyo Burro Creek corridor include placing dirt and rock fill (up to five feet) in the creek channel to recreate a two percent channel bed slope. This results in approximately 900 yards of material and 800 tons of rock. Reestablishing the historic grade will increase channel width, reduce flow depth and reduce channel scour forces, thus minimizing top of slope retreat, reducing existing erosion, and reducing the potential for future geotechnical failures. Impacts associated with landform changes (grading) within Arroyo Burro Creek are considered *less than significant* and should result in a net benefit to the site and the creek at the completion of the project.

Geophysical Conditions – Required Mitigation

G-1 **Geotechnical Recommendations.** Site preparation and project construction related to soil conditions and seismic hazards shall be in accordance with the recommendations contained in the Reports of Geotechnical Investigation and Seismic Hazard Evaluation Study prepared by Arroyo Geotechnical, dated May 6, 2005 and January 10, 2006. Compliance shall be demonstrated on plans submitted for grading and building permits.

Geophysical Conditions – Residual Impacts

Implementation of the required site preparation and structural design measures would mitigate potential geologic hazards to less than significant levels.

6. HAZARDS Could the project involve:		**NO**	**YES** *Level of Significance*
a)	A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?		Less than Significant
b)	The creation of any health hazard or potential health hazards?		Less than Significant
c)	Exposure of people to existing sources of potential health hazards?		Less than Significant
d)	Increased fire hazard in areas with flammable brush, grass, or trees?		Less than Significant

Hazards - Discussion

Issues: Hazardous materials issues involve the potential for public health or safety impacts from exposure of persons or the environment to hazardous materials or risk of accidents involving combustible or toxic substances.

Impact Evaluation Guidelines: Significant impacts may result from the following:

- Siting of incompatible projects in close proximity to existing sources of safety risk, such as pipelines, industrial processes, railroads, airports, etc.
- Exposure of project occupants or construction workers to unremediated soil or groundwater contamination.
- Exposure of persons or the environment to hazardous substances due to improper use, storage, or disposal of hazardous materials.
- Siting of development in a high fire hazard areas or beyond adequate emergency response time, with inadequate access or water pressure, or otherwise in a manner that creates a fire hazard

Hazards – Existing Conditions and Project Impacts

6.a,b,c) Public Health and Safety

Phase 1 Environmental Site Assessments were prepared for the project site by BL Companies in 2003 and by URS in 2004. No hazardous materials are known to exist on the site with the exception of asbestos used in the construction of the existing buildings. Abatement is required to occur in compliance with Santa Barbara Air Pollution Control District's (SBCAPCD's) rules and regulations during the first phases of construction. Impacts associated with asbestos are anticipated to be *less than significant*. It is also possible that the existing buildings contain lead-cased paint and/or polychlorinated biphenyls (PCBs). Compliance with Occupational Safety and Health Administration (OSHA) regulations will reduce any potentially adverse, but *less than significant* impacts related to exposure to airborne lead or PCBs.

The proposed commercial, retail and residential uses are not anticipated to create any new hazards. Hazardous materials usage on the site would likely be limited to the storage and use of relatively small quantities of materials such as paint, oils, cleaners, and landscape maintenance materials. Any usage of hazardous materials would be subject to all applicable State and local requirements for management and disposals of such materials. *A less than significant impact* from hazardous materials is anticipated.

6.d) Fire Hazard

The project site is not located in a City designated high fire hazard area. The project is subject to Fire Department and City Ordinance requirements for adequate access, structural design and materials. Adherence to the standard requirements of the Uniform Fire Code with respect to building design would ensure that fire hazard impacts for the proposed project would be *less than significant.*

Hazards – Recommended Mitigation

H-1 **Asbestos Containing Material.** Applicant shall complete the SBCAPCD "Asbestos/Demolition/Renovation Notification" Form at least ten days prior to the start of any demolition work.

H-2 **PCB Disposal.** Fluorescent light ballasts containing polychlorinated biphenyls (PCB) shall be segregated upon demolition and properly disposed of as PCB-containing waste.

H-3 **Lead Disposal.** During demolition activities, workers shall follow OSHA regulations regarding potential exposure to airborne lead. In addition, representative samples of any construction waste should be tested by the Toxic Characteristic Leaching Procedure (TCLP) to determine if the waste is hazardous. Hazardous wastes must be disposed of according to Federal, State and local regulations.

Hazards – Residual Impacts

Project specific impacts related to hazards would be less than significant and further reduced by the recommended mitigation measures.

7. NOISE Could the project result in:		**NO**	**YES** *Level of Significance*
a)	Increases in existing noise levels?		Potentially Significant, Mitigable
b)	Exposure of people to severe noise levels?		Potentially Significant, Mitigable

Noise - Discussion

Issues: Noise issues are associated with siting of a new noise-sensitive land use in an area subject to high ambient background noise levels, siting of a noise-generating land use next to existing noise-sensitive land uses, and/or short-term construction-related noise.

The primary source of ambient noise in the City is vehicle traffic noise. The City Master Environmental Assessment (MEA) *Noise Contour Map* identifies average ambient noise levels within the City.

Ambient noise levels are determined as averaged 24-hour weighted levels, using the Day-Night Noise Level (L_{dn}) or Community Noise Equivelence Level (CNEL) measurement scales. The L_{dn} averages the varying sound levels occurring over the 24-hour day and gives a 10 decibel penalty to noises occurring between the hours of 10:00 p.m. and 7:00 a.m. to take into account the greater annoyance of intrusive noise levels during nighttime hours. Since L_{dn} is a 24-hour average noise level, an area could have sporadic loud noise levels above 60 dB(A) which average out over the 24-hour period. CNEL is similar to L_{dn} but includes a separate 5 dB(A) penalty for noise occurring between the hours of 7:00 p.m. and 10:00 p.m. CNEL and L_{dn} values usually agree with one another within 1 dB(A). The Equivalent Noise Level (L_{eq}) is a single noise level, which, if held constant during the measurement time period, would represent the same total energy as a fluctuating noise. L_{eq} values are commonly expressed for periods of one hour, but longer or shorter time periods may be specified. In general, a change in noise level of less than three decibels is not audible. A doubling of the distance from a noise source will generally equate to a change in decibel level of six decibels.

Guidance for appropriate long-term background noise levels for various land uses are established in the City General Plan Noise Element Land Use Compatibility Guidelines. Building codes also establish maximum average ambient noise levels for the interiors of structures.

High construction noise levels occur with the use of heavy equipment such as scrapers, rollers, graders, trenchers and large trucks for demolition, grading, and construction. Equipment noise levels can vary substantially through a construction period, and depend on the type of equipment, number of pieces operating, and equipment maintenance. Construction equipment generates noise levels of more than 80 or 90 dB(A) at a distance of 50 feet, and the shorter impulsive noises from other construction equipment (such as pile drivers and drills) can be even higher, up to and exceeding 100 dB(A). Noise during construction is generally intermittent and sporadic, and after completion of the initial demolition, grading and site preparation activities, tends to be quieter.

The Noise Ordinance (Chapter 9.16 of the Santa Barbara Municipal Code) governs short-term or periodic noise, such as construction noise, operation of motorized equipment or amplified sound, or other sources of nuisance noise. The ordinance establishes limitations on hours of construction and motorized equipment operations, and provides criteria for defining nuisance noise in general.

Impact Evaluation Guidelines: A significant noise impact may result from:

- Siting of a project such that persons would be subject to long-term ambient noise levels in excess of Noise Element land use compatibility guidelines as follows:
  - Residential: Normally acceptable maximum exterior ambient noise level of 60 dB(A); maximum interior noise level of 45 dB(A).
  - Commercial – Retail / Restaurants: Normally acceptable maximum exterior ambient noise level of 75 dB(A); maximum interior noise level of 50 db(A).
  - Office: Normally acceptable maximum exterior ambient noise level of 75 dB(A); maximum interior noise level of 50 db(A).
- Substantial noise from grading and construction activity in close proximity to noise-sensitive receptors for an extensive duration.

Noise – Existing Conditions and Project Impacts

The project site is located in an area subject to average ambient noise levels from roadway noise of less than 60 dBA Ldn, 60-65 dBA Ldn and 65-70 dBA Ldn, as shown on the City's Master Environmental Assessment noise contour maps. Noise Studies, dated March 14, 2006 and December 18, 2006, were prepared by Dudek (Revised Noise Study is attached as Exhibit E). As part of the Studies, existing noise levels were monitored at two points. This information was then used to model current and future expected noise levels for the proposed project. Measured and modeled noise levels indicate current noise levels of 71 dB CNEL along State Street and 65 dB CNEL along Hitchcock Way.

7.a-b) Increased Noise Level; Exposure to High Noise Levels

Long-Term Operational Noise:

Exterior Noise Levels – Exterior living areas for Units 14 and 15 (second floor balconies facing State Street) would be subject to exterior noise levels that exceed the City's standard of 60 dB CNEL for outside residential uses. Therefore, exterior noise level impacts at Units 14 and 15 are considered potentially significant. Mitigation would be required to achieve compliance with the City's 60 dB CNEL criteria. Anticipated noise from the proposed commercial uses (primarily from mechanical equipment) would result in noise levels that exceed 60 dB CNEL. This has the potential to impact Units 1-9, thus creating a potentially significant impact. Mitigation, in the form of mechanical equipment screening, would mitigate this impact to a less than significant level. Therefore, impacts associated with exterior noise levels are considered *potentially significant, mitigable.*

Interior Noise Levels – Standard construction practices are considered to reduce noise levels by 15 dBA; therefore, interior areas of the residential units exposed to exterior noise levels above 60 dBA Ldn may not meet the 45 dBA Ldn standard. Because exterior noise levels at Units 14 and 15 would range up to 64 dB CNEL, predicted noise levels within interior living areas for these units would exceed the City's and State's interior noise standard of 45 dB CNEL, a significant impact. Exterior noise levels for Units 1-13 are not anticipated to exceed 59 dB CNEL; however, this calculation is partially attributed to proposed building elements providing shielding from direct traffic noise exposure along Hitchcock Way. Also, some portions of Units 9-13 could reach approximately 62 dB CNEL due to delivery truck noise. Therefore, interior noise level impacts are considered *potentially significant, mitigable*.

Temporary Construction Noise:

Uses around the project site are primarily commercial, retail, recreational (YMCA) and residential. Residential and recreational uses are considered noise sensitive. The closest residences are located approximately 50 feet from the project site's northern perimeter.

Noise from grading and construction equipment, truck traffic and vibration would affect surrounding noise-sensitive uses during the approximately 14-month construction period. Given existing development on site, and anticipated development requirements, the applicant has proposed to divide the project into three discreet phases. Therefore, the site construction will not follow the more typical demolition, grading, construction, finish work pattern. The applicant has prepared a construction phasing schedule to address project length, construction equipment, trucks and personnel required for each stage of the development. Each phase of construction will include demolition, grading, construction and landscaping. Phase 1 is anticipated to last 379 days, Phase 2 is anticipated to take 130 days and Phase 3 is anticipated to take 238 days. Although the Phases are discreet, they will overlap. Total construction duration is anticipated to be 14 months. Temporary construction noise impacts are considered *potentially significant, mitigable.*

Noise – Required Mitigation

N-1 **Unit 14 and 15 Exterior Balconies.** Provide a minimum 6-foot high sound wall around the perimeter of the second floor balcony/terrace areas for Units 14 and 15, or a redesign of the area to provide other shielding from the building shell, to attenuate noise levels to less than 60 dB CNEL. The height requirement is relative to the balcony floor elevation. The materials used in the construction of the sound wall are required to have a minimum surface density of 35 pounds per square foot. They may consist of masonry material, Plexiglass, tempered glass, or a combination of these materials. The barriers must be designed so there are no openings or cracks.

N-2 **Mechanical Equipment Noise – Rooftop.** The Whole Foods Fan Groups 3 and 4 (i.e. the fans at the west end of the parking lot) should have a six-foot high sound wall around them. The sound wall could be made of tempered or acrylic glass so that visibility for drivers in the parking lot could be maintained.

N-3 **Mechanical Equipment Noise – Basement.** A five-foot long sound attenuator shall be installed immediately before the louver to attenuate noise from the Whole Foods basement area. Other noise abatement treatments may also be appropriate, such as installing an acoustical louver, using sound absorbing materials or a plenum chamber within the interior of the mechanical room. Mitigation is subject to change during the facility design phase to ensure appropriate noise abatement measures are implemented.

N-4 **Interior Noise Analysis - Residential.** An interior noise analysis will be required prior to issuance of building permits. The Analysis may conclude that mechanical ventilation and/or an air conditioning system, and possibly sound-rated windows for the south and east façade of the structure (Units 9-13) and/or the State Street façade (Units 14-15), will be required.

N-5 **Noise Study Required.** A Noise Study addressing the Whole Foods/Circuit City building and associated residential units shall be prepared prior to final facility design approval to ensure that necessary noise abatement measures incorporated in to the building and site plans effectively mitigate the equipment noise to 60 dB CNEL or less at exterior areas for Units 1-13.

N-6 **Construction Notice.** At least 20 days prior to commencement of construction, the contractor shall provide written notice to all property owners and residents within 450 feet of the project area. The notice shall contain a description of the proposed project, a construction schedule including days and hours of construction, the name and phone number of the Project Environmental Coordinator (PEC) who can answer questions, and provide additional information or address problems that may arise during construction. A 24-hour construction hot line shall be provided. Informational signs with the PEC's name and telephone number shall also be posted at the site.

N-7: **Construction Hours.** Noise-generating construction activities (which may include preparation for construction work) shall be permitted weekdays between the hours of 8:00 a.m. and 5:00 p.m., excluding holidays observed by the City as legal holidays: New Year's Day (January 1st); Martin Luther King Jr.'s Birthday (3rd Monday in January); President's Day (3rd Monday in February); Memorial Day (Last Monday in May); Independence Day (July 4th); Labor Day (1st Monday in September); Thanksgiving Day (4th Thursday in November); Day Following Thanksgiving Day (Friday following Thanksgiving); Christmas Day (December 25th). *When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday respectively shall be observed as a legal holiday.

Occasional night work may be approved for the hours between 5 p.m. and 8 a.m. by the Chief of Building and Zoning per Section 9.13.015 of the Municipal Code) between the hours of 5 p.m. and 8 a.m. weekdays In the event of such night work approval, the applicant shall provide written notice to all property owners and residents within 450 feet of the project property boundary and the City Planning and Building Divisions at least 48 hours prior to commencement of any. Night work shall not be permitted on weekends and holidays.

N-8: **Construction Equipment Sound Control.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.

N-9 **Sound Barriers During Construction.** As part of the building plan submittal, prepare and submit a sound control plan including devices and techniques such as noise shields and blankets in order to reduce noise impacts to surrounding sensitive noise receptors during construction.

Noise – Residual Impact

Implementation of the identified mitigation measures would reduce operational interior noise impacts and temporary construction noise levels to less than significant levels.

8. POPULATION AND HOUSING Could the project:		**NO**	**YES** **Level of Significance**
a)	Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)?		Less than Significant
b)	Displace existing housing, especially affordable housing?	X	

Population and Housing - Discussion

Impact Evaluation Guidelines: Issues of potentially significant population and housing impacts may involve:

- Growth inducement, such as provision of substantial population or employment growth or creation of substantial housing demand; development in an undeveloped area, or extension/ expansion of major infrastructure that could support additional future growth.
- Loss of a substantial number of housing units, especially loss of more affordable housing.

Population and Housing – Existing Conditions and Project Impacts

8.a) Growth-Inducing Impacts

The project site is located in an existing developed urban area already served by urban infrastructure. No extensions of infrastructure or urban services would be necessary to serve the project site. The 15 proposed residential units are intended to meet existing demand for ownership housing units within the community and would not induce growth. The project would not involve substantial employment growth that would increase population and housing demand, as the amount of additional commercial square footage proposed is relatively small. Growth inducing impacts as a result of the project would be *less than significant*.

8.b) Housing Displacement

The project would not involve any housing displacement; rather it would provide 15 housing units for the City. *No adverse housing impact* would result from the project.

Population and Housing - Mitigation

No mitigation is required.

9. PUBLIC SERVICES		NO	YES
	Could the project have an effect upon, or result in a need for new or altered services in any of the following areas:		*Level of Significance*
a)	Fire protection?		Less than Significant
b)	Police protection?		Less than Significant
c)	Schools?		Less than Significant
d)	Maintenance of public facilities, including roads?		Less than Significant
e)	Other governmental services?		Less than Significant
f)	Electrical power or natural gas?		Less than Significant
g)	Water treatment or distribution facilities?		Less than Significant
h)	Sewer or septic tanks?		Less than Significant
i)	Water distribution/demand?		Less than Significant
j)	Solid waste disposal?		Potentially Significant, Mitigable

Public Services - Discussion

Issues: This section evaluates project effects on fire and police protection services, schools, road maintenance and other governmental services, utilities, including electric and natural gas, water and sewer service, and solid waste disposal.

Impact Evaluation Guidelines: The following may be identified as significant public services and facilities impacts:

- Creation of a substantial need for increased police department, fire department, road maintenance, or government services staff or equipment.
- Generation of substantial numbers of students exceeding public school capacity where schools have been designated as overcrowded.
- Inadequate water, sewage disposal, or utility facilities.
- Substantial increase in solid waste disposal to area sanitary landfills.

Public Services – Existing Conditions and Project Impacts

9a-b,d-g. Facilities and Services

The project site is located in an urban area where all public services are available. In 2005, the City prepared a General Plan Update: 2030 Condition, Trends, and Issues (CTI) Report (September 2005) that examined existing conditions associated with fire protection, police protection, library services, public facilities, governmental facilities, electrical power, and natural gas. The CTI Report specifically analyzed whether there were deficiencies existing or anticipated for each of the public services. The CTI report determined that police and fire protection services, and library services are being provided at acceptable levels to the City. In addition, the CTI Report determined that electricity, natural gas, telephone, and cable telecommunication services are being provided at acceptable service levels and utility companies did not identify any deficiencies in providing service in the future. Finally, the CTI Report determined that demand for City buildings and facilities will continue to be affected by growth, although no appropriate/acceptable levels of service have been established.

The project site is located in an urban area and involves the demolition of existing buildings and construction of new buildings in its place. Because the existing buildings already utilize existing public services, the project would be served with connections to existing public services for gas, electricity, cable, and telephone traversing the site, as well as access to existing roads. The project is not anticipated to create a substantially different demand on fire or police protection services, library services, or City buildings and facilities than that anticipated in the CTI Report. Therefore, impacts to fire protection, police protection, library services, City buildings and facilities, electrical power, natural gas, telephone, and cable telecommunication services are anticipated to be *less than significant.*

9.c) Schools

The project site is served by the Santa Barbara Elementary and High School Districts for elementary and high school. The project would provide an increase of 15 residential units, which could generate additional students.

The project would also result in a minor increase in area employees. It would be expected that some of the added employees would already reside in the area. Some portion of new employees may in-migrate or utilize local schools. The commercial portion of the proposed project may generate new elementary and secondary students to the extent that new employment created by the project results in new residents to the area. Unlike the residential portion of this project that falls into a defined school attendance area, students generated by the commercial portion of the proposed project could live and attend a school in any area of the South Coast. Some students generated by the commercial portion of this project could also live outside the boundaries of the Santa Barbara School Districts or attend private schools.

None of the school districts in the South Coast have been designated "overcrowded" as defined by California State law. School impact fees would be applied to the project in accordance with State law. Project impacts to schools would be *less than significant*.

9.g,h,i) Water and Sewer

Water

The City of Santa Barbara's water supply comes from the following sources, with the actual share of each determined by availability and level of customer demand: Cachuma Reservoir and Tecolote Tunnel, Gibraltar Reservoir and Mission Tunnel, 300 Acre Feet per Year (AFY) of contractual transfer from Montecito Water district, groundwater, State Water Project entitlement, desalination, and recycled water. Conservation and efficiency improvements are projected to contribute to the supply by displacing demand that would otherwise have to be supplied by additional sources. In 1994, based on the comprehensive review of the City's water supply in the Long Term Water Supply Alternatives Analysis

(LTWSAA), the City Council approved the Long Term Water Supply Program (LTWSP). The LTWSP outlines a strategy to use the above sources to meet the projected demand of 17,900 AFY (including 1,500 AFY of demand projected to be met with conservation) plus a 10 percent safety margin for a total of 19,700 AFY. Therefore, the target for the amount of water the system will actually have to supply, including the safety margin, is 18,200 AFY. The 2007 Water Supply Management Report documents an actual system demand of 14,963 AFY and a theoretical commitment of 16,170 AFY. Of the total system production, 94% was potable water and 6% was reclaimed water. The 2007 Water Supply Management Report documents an actual system demand of 14,963 AFY and a theoretical commitment of 16,170 AFY. Of the total system production, 94% was potable water and 6% was recycled water.

In 2005, the City prepared a General Plan Update: 2030 Condition, Trends, and Issues (CTI) Report (September 2005) that examined existing conditions associated with water supply, treatment, and distribution system, and specifically analyzed and determined that there were no existing or anticipated deficiencies for the next 20-year planning period based on a growth rate of 0.7% per year.

The existing development on the site demands 6.58 AFY of water. The proposed project is estimated to demand 12.6 AFY based on the City's Water Demand Factor and Conservation Study "User's Guide" Document No. 2) as outlined in the following tables:

EXISTING WATER DEMAND				
	Units/ Square Footage (in 1,000 SF)	**Factor (in gallons per day)**	**Amount (in gallons per day)**	**AFY**
Commercial	56.545	103.9	5,875	6.58
TOTAL			5,875	**6.58**

PROPOSED WATER DEMAND				
	Units/ Square Footage (in 1,000 SF)	**Factor (in gallons per day)**	**Amount (in gallons per day)**	**AFY**
Residential	15 units	250	3,750	4.2
Commercial	72.209	103.9	7,503	8.4
TOTAL			11,253	**12.6**

Therefore, the change in water use would be approximately 6.02 AFY (12.60 AFY – 6.58 AFY), which would not significantly impact the City's water supply.

The project would receive water service from the City of Santa Barbara, and is within the anticipated growth rate for the City. Therefore, the City's long-term water supply and distribution facilities would adequately serve the proposed project. The potential increase in water demand from the proposed project would constitute a *less than significant* impact to the City water supply and distribution facilities.

Sewer

The maximum capacity of the El Estero Treatment Plant is 11 million gallons per day, with current average daily flow 8.5 MGD. The Treatment Plant is designed to treat the wastewater from a population of 104,000. The proposed project's estimated net new sewer demand is 4,831 gallons per day or 5.41 AFY (11.79 AFY – 6.38 AFY) as follows:

EXISTING SEWER DEMAND				
	Water Demand (in gallons per day)	**Factor (in gallons per day)**	**Amount (in gallons per day)**	**AFY**
Commercial	5,875	0.97	5,699	6.38
TOTAL			5,699	**6.38**

PROPOSED SEWER DEMAND				
	Water Demand (in gallons per day)	**Factor (in gallons per day)**	**Amount (in gallons per day)**	**AFY**
Residential	3,750	0.8675	3,253	3.64
Commercial	7,503	0.97	7,277	8.15
TOTAL			10,530	**11.79**

Increased sewage treatment associated by the project can be accommodated by the existing City sewer system and sewage treatment plant, and would represent a *less than significant* impact.

9.j) Solid Waste Generation/ Disposal

Most of the waste generated in the City is transported on a daily basis to seven landfills located around the County. The County of Santa Barbara, which operates the landfills, has developed impact significance thresholds related to the impacts of development on remaining landfill capacity. The County thresholds are based on the projected average solid waste generation for Santa Barbara County from 1990-2005. The County assumes a 1.2% annual increase (approximately 4000 tons per year) in solid waste generation over the 15-year period.

The County's threshold for project specific impacts to the solid waste system is 196 tons per year (this figure represents 5% of the expected average annual increase in solid waste generation [4000 tons/year]). Source reduction, recycling, and composting can reduce a project's waste stream by as much as 50%. If a proposed project generates 196 or more tons per year (TPY) after reduction and recycling efforts, impacts would be considered significant and unavoidable.

Proposed projects with a project specific impact as identified above (196 TPY or more) would also be considered cumulatively significant, as the project specific threshold of significance is based on a cumulative growth scenario. However, as landfill space is already extremely limited, any increase in solid waste of 1% or more of the expected average annual increase in solid waste generation [4000 TPY], which equates to 40 TPY, is considered an adverse cumulative impact.

Long-Term (Operational). The proposed use is estimated to generate solid waste as follows:

EXISTING DEVELOPMENT			
Land Use	**# of Units/ Rooms/ Area (SF)**	**Estimated Waste Generation Rate (tons)**	**Annual Waste Generation (tons)**
Eating Establishment	2,040 SF	0.0115	23.46
Commercial/Retail/Misc.	54,505 SF	0.0057	310.68
TOTAL ANNUAL WASTE GENERATION (Pre-Reduction/Recycling):			**334.14 tons/year**
TOTAL ANNUAL WASTE GENERATION (Post-Reduction/Recycling):			**167.07 tons/year**

PROPOSED DEVELOPMENT			
Land Use	**# of Units/ Rooms/ Area (SF)**	**Estimated Waste Generation Rate (tons)**	**Annual Waste Generation (tons)**
Residential Condominium	2.65 people/unit x 15 units	0.95	37.76
Commercial/Retail/Misc.	72,209 SF	0.0057	411.59
TOTAL ANNUAL WASTE GENERATION (Pre-Reduction/Recycling):			**449.35 tons/year**
TOTAL ANNUAL WASTE GENERATION (Post-Reduction/Recycling):			**224.68 tons/year**

NET SOLID WASTE GENERATION	
PROPOSED ANNUAL WASTE GENERATION (Post-Reduction/Recycling)	224.68 tons/year
EXISTING ANNUAL WASTE GENERATION (Post-Reduction/Recycling)	167.07 tons/year
NET ANNUAL WASTE GENERATION (Post-Reduction/Recycling):	**57.61 tons/year**

With application of source reduction, reuse, and recycling, landfill disposal of net solid waste could be reduced to 57.61 TPY. The project specific impact is considered *less than significant* because the 196 TPY threshold is not exceeded; however, an adverse cumulative impact would result because waste generation would exceed 40 TPY.

The applicant has submitted a Draft Solid Waste Management Plan and Supplement 1 (Exhibits M and N) to address the handling of Solid Waste from the proposed Development. Information provided in these Plans is a part of the applicant's proposal and would be incorporated in to the project.

The County of Santa Barbara is working on an update to their waste generation rates and thresholds; however, it has not yet been adopted. The draft updated waste generation numbers reflect the increase in residential trash generation over the last decade. Using the updated residential generation rates (residential per capita generation is 1.61 TPY rather than 0.95 TPY as calculated above), the Project would generate 64 TPY of residential waste; however, the project's net waste generation post reduction/recycling (approximately 70.7 TPY) would still be less than the 196 TPY threshold currently utilized by the City.

Short-Term (Demolition and Construction). The solid waste generation/disposal thresholds adopted by the County do not apply to short-term construction projects. However, new construction, especially remodeling and demolition, represents the greatest challenge to maintaining existing diversion rates. Draft solid waste generation guidelines have been developed by the County of Santa Barbara; however, it should be noted that these numbers have not been adopted. Based on their guidelines, it is anticipated that the Project would generate 3,957.5 tons of waste for demolition and construction. According to the County's draft thresholds of significance, any construction, demolition or remodeling project of a commercial, industrial or residential development that is projected to create more than 350 tons of construction and demolition debris is considered to have a significant impact on solid waste generation. The proposed project would be considered to have a *potentially significant, mitigable* impact based on its construction-related solid waste generation, which is estimated to be approximately 3,956 tons. Although the 350 ton threshold has not been formally adopted by the City, the amount of construction waste anticipated to be generated by the project warrants mitigation. The implementation of a Solid Waste Management Plan that includes measures to reduce, re-use, and recycle construction and demolition waste to the extent feasible would reduce short-term waste disposal impacts to a less than significant level. Additionally, the applicant has proposed measures to reduce construction-related solid waste generation to the maximum extent feasible (refer to Exhibits M and N – Draft Solid Waste Management Plans for details).

Public Services – Required Mitigation

PS-1 **Solid Waste Management Plan.** The Applicant shall develop and implement a Solid Waste Management Plan to reduce waste generated by construction and demolition activities. Consistent with City of Santa Barbara ordinances and in order to achieve the waste diversion goals required by state law, the Contractor may choose to

separate waste and recyclables on-site or use a combination of source separation and a construction and demolition (C&D) sorting facility. The Solid Waste Management Plan shall include the following:

1. Contact information: The name and contact information of who will be responsible for implementing the Solid Waste Management Plan.
2. Waste assessment: A brief description of the proposed project wastes to be generated, including types and estimated quantities during the construction phase of this project. A minimum of 90% of demolition and construction materials shall be recycled or reused.
3. Recycling and waste collection areas: Waste sorting and/or collection and/or recycling areas shall be clearly indicated on the project plans and approved by the City Solid Waste Specialist.
4. Transportation: A description of the means of transportation of recyclable materials and waste (whether materials will be site-separated and self-hauled to designated centers, or whether mixed materials will be collected by a waste hauler and removed from the site to be processed) and destination of materials.
5. Landfill information: The name of the landfill(s) where trash will be disposed of and a projected amount of material that will be landfilled.
6. Meetings: A description of meetings to be held between applicant and contractor to ensure compliance with the site Solid Waste Management Plan.
7. Alternatives to landfilling: A list of each material proposed to be salvaged, reused, or recycled during the course of the Project.
8. Contingency Plan: An alternate location to recycle and/or stockpile C&D in the event of local recycling facilities becoming unable to accept material (for example: all local recycling facilities reaching the maximum tons per day due to a time period of unusually large volume).
9. Implementation and Documentation of Solid Waste Management Plan:
    a. Manager: The Permit Applicant or Contractor shall designate an on-site party (or parties) responsible for instructing workers and overseeing and documenting results of the Solid Waste Management Plan for the Project Site Foreman. The contact will notify the Public Works Department immediately should any deviance from the Solid Waste Management Plan be necessary.
    b. Distribution: The Contractor shall distribute copies of the Solid Waste Management Plan to the Job Site Foremen, impacted subcontractors, and the Architect.
    c. Instruction: The Permit Applicant or Contractor shall provide on-site instruction of appropriate separation, handling, and recycling, salvage, reuse, and return methods to be used by all parties at the appropriate stages of project development.
    d. Separation and/or Collection areas: The Permit Applicant or Contractor shall ensure that the approved recycling and waste collection areas are designated on site.
    e. Construction of Recycling and Waste container facilities: Inspection shall be made by Public Works to ensure the appropriate storage facilities are created in accordance with AB 2176, California State Public Resources Code 42911 and City of Santa Barbara Zoning Ordinances.
    f. Hazardous wastes: Hazardous wastes shall be separated, stored, and disposed of according to federal, state and local regulations.
    g. Documentation: The Contractor shall submit evidence at each inspection to show that recycling and/or reuse goals are being met and a Summary of Waste Generated by the Project shall be submitted on a monthly basis. Failure to submit this information shall be grounds for a stop work order. The Summary shall be submitted on a form acceptable to the Public Works Department and shall contain the following information:

- Disposal information: amount (in tons or cubic yards) of material landfilled; identity of the landfill; total amount of tipping fees paid at the landfill; weight tickets, manifests, receipts, and invoices (attach copies).
- Recycling information: amount and type of material (in tons or cubic yards); receiving party; manifests, weight tickets, receipts, and invoices (attach copies).
- Reuse and salvage information: list of items salvaged for reuse on project or campus (if any); amount (in tons or cubic yards); receiving party or storage location.

h. Contingency Plan: The Permit Applicant or Contractor shall detail the location and recycling of stockpiled material in the event of the implementation of a Contingency Plan.

Public Services – Residual Impacts

Implementation of the mitigation measure would reduce potentially significant short-term solid waste impacts to a less than significant impact.

10. RECREATION Could the project:		**NO**	**YES** *Level of Significance*
a)	Increase the demand for neighborhood or regional parks or other recreational facilities?		Less than Significant
b)	Affect existing parks or other public recreational facilities?		Less than Significant

Recreation - Discussion

Issues: Recreational issues are associated with increased demand for recreational facilities, or loss or impacts to existing recreational facilities.

Impact Evaluation Guidelines: Recreation impacts may be significant if they result in:

- Substantial increase in demand for park and recreation facilities in an area under-served by existing public park and recreation facilities.
- Substantial loss or interference with existing park space or other public recreational facilities such as hiking, cycling, or horse trails.

Recreation – Existing Conditions and Project Impacts

10.a) Recreational Demand

Currently within the City there are more than 1,800 acres of natural open space, park land and other recreational facilities. In addition, there are 28 tennis courts, 2 public outdoor swimming pools, beach volleyball courts, sport fields, lawn bowling greens, a golf course, 13 community buildings and a major skateboard facility. The City also offers a wide variety of recreational programs for people of all ages and abilities in sports, various classes, tennis, aquatics and cultural arts.

In 2005, the City prepared a General Plan Update: 2030 Conditions, Trends, and Issues (CTI) Report (September 2005) that examined existing conditions associated with recreation and parks. Population characteristics including income, age, population growth, education and ethnicity affect recreation interests and participation levels.

The National Recreation and Park Association (NRPA) has established park service area standards for various types of parks. The NRPA standards have not been adopted by the City; however, the standards do provide a useful tool for assessing park space needs. The CTI Report determined that, based on NRPA standards, there is an uneven distribution of parkland in the City, such that some areas of the City may currently be underserved with neighborhood and community parks, but overall the City has adequate passive, community, beach, regional, open space, and sports facility parks.

The development of the proposed project with 15 new residences and 72,209 net square feet of commercial space would create an increase in the demand for park and recreational opportunities in the general area. As indicated above, the City of Santa Barbara has ample parkland, albeit unevenly distributed throughout the City, and adequate recreation facilities. The proposed project would introduce additional residents into the North State neighborhood where existing nearby neighborhood parks (those intended to serve nearby residents) include MacKenzie Park, Stevens Park, Willowglen Park , San Roque Park and Los Robles Park. Only San Roque Park is within the NRPA ¼ to ½-mile radius standard of the proposed project site (approximately ½ mile away). Residents of the proposed project would have access to these neighborhood parks, although somewhat less conveniently than if located within the NRPA standard distance. In addition, residents would have access to other community, beach, regional, open space and sports facility parks, and all City recreation programs.

The increase in park and recreational demands associated with the residences and hotel guests is considered a *less than significant* impact.

10.b) Existing Recreational Facilities

As described above, the proposed project site is generally not within close proximity of either neighborhood or community parks. The project is located near a path along San Roque Creek, and within a block of the YMCA facility. However, the proposed residential and commercial land uses, by their nature, would not interfere or cause a substantial loss of use of existing parks or recreational facilities by means of obnoxious or offensive emission of odors, dust, gas, fumes, smoke, liquids, wastes, noise, vibrations, or disturbances. Therefore, the project would have a *less than significant* impact on recreational facilities.

Recreation - Mitigation

No mitigation required.

11. TRANSPORTATION/CIRCULATION Could the project result in:		NO	YES *Level of Significance*
a)	Increased vehicle trips?		Long-term: Less than Significant Short-term: Potentially Significant, Mitigable Honeymoon Period: Less than Significant
b)	Hazards to safety from design features (e.g. sharp curves, inadequate sight distance or dangerous intersections)?		Less than Significant
c)	Inadequate emergency access or access to nearby uses?		Less than Significant
d)	Insufficient parking capacity on-site or off-site?		Potentially Significant, Mitigable
e)	Hazards or barriers for pedestrians or bicyclists?		Less than Significant

Transportation - Discussion

Issues: Transportation issues include traffic, access, circulation, safety, and parking. Vehicle, bicycle and pedestrian, and transit modes of transportation are all considered, as well as emergency vehicle access. The City General Plan Circulation Element contains policies addressing circulation, traffic, and parking in the City.

Impact Evaluation Guidelines: A proposed project may have a significant impact on traffic/ circulation/ parking if it would:

Vehicle Traffic

- Cause an increase in traffic that is substantial in relation to the existing traffic load and street system capacity (see traffic thresholds below).
- Cause insufficiency in transit system.
- Conflict with the Congestion Management Plan (CMP) or Circulation Element or other adopted plan or policy pertaining to vehicle or transit systems.

Circulation and Traffic Safety

- Create potential hazards due to addition of traffic to a roadway that has design features (e.g., narrow width, roadside ditches, sharp curves, poor sight distance, inadequate pavement structure) or that supports uses that would be incompatible with substantial increases in traffic.
- Diminish or reduce safe pedestrian and/or bicycle circulation.
- Result in inadequate emergency access on-site or to nearby uses.

Parking

- Result in insufficient parking capacity for the projected amount of automobiles and bicycles.

Traffic Thresholds of Significance: The City uses Levels of Service (LOS) "A" through "F" to describe operating conditions at signalized intersections in terms of volume-to-capacity (V/C) ratios, with LOS A (0.50-0.60 V/C) representing free flowing conditions and LOS F (0.90+ V/C) describing conditions of substantial delay. The City General Plan Circulation Element establishes the goal for City intersections to not exceed LOS C (0.70-0.80 V/C).

For purposes of environmental assessment, LOS C at 0.77 V/C is the threshold Level of Service against which impacts are measured. An intersection is considered "impacted" if the volume to capacity ratio is .77 V/C or greater.

Project-Specific Significant Impact: A project-specific significant impact results when:

(a) Project peak-hour traffic would cause a signalized intersection to exceed 0.77 V/C, or

(b) The V/C of an intersection already exceeding 0.77 V/C would be increased by 0.01 (1%) or more as a result of project peak-hour traffic.

For non-signalized intersections, delay-time methodology is utilized in evaluating impacts.

Significant Cumulative Contribution: A project would result in a significant contribution to cumulative traffic impacts when:

(a) Project peak-hour traffic together with other cumulative traffic from existing and reasonably foreseeable pending projects would cause an intersection to exceed 0.77 V/C, or

(b) Project would contribute traffic to an intersection already exceeding 0.77 V/C.

Transportation – Existing Conditions and Project Impacts

The project description includes public improvements such as dedicating right-of-way along State Street to provide wider sidewalk areas, sidewalk and parkway improvements along Hitchcock Way and State Street and making signal phasing improvements at the Las Positas Road/Calle Real and Las Positas Road/State Street intersections, as described in the Upper State Street Study.

11.a) Traffic

Transportation – Existing Conditions and Project Impacts

The project description includes public improvements such as dedicating right-of-way along State Street to provide wider sidewalk areas, sidewalk and parkway improvements along Hitchcock Way and State Street and making signal phasing improvements at the Las Positas Road/Calle Real and Las Positas Road/State Street intersections, as described in the Upper State Street Study (see below for further description of this study).

11.a) Traffic

Long-Term (Operational) Traffic

A Traffic and Parking Assessment of the project was prepared by Associated Transportation Engineers (ATE), dated April 18, 2006. Findings of the Study conclude that the existing uses, 13,738 square feet of office, 7,226 square feet of bank, 12,256 square feet of mixed retail, 23,500 square feet for Circuit City, and 72 seats in a fast food restaurant (Taco Bell), generate a combined existing traffic generation of 3,552 ADT. The Assessment further found that the proposed uses (as designed at that time), 38,053 square feet for Whole Foods, 4,397 square feet of bank, 4,380 square feet of mixed retail, 18,857 square feet for Circuit City and 15 residential condominiums, would generate a combined traffic generation of 3,216 ADTs. ITE Trip Generation Manual land use code 850 was assigned to the Whole Foods store (Supermarket) and land use code 230 was assigned to the residential condominiums. The net change in traffic generation according to the ATE Assessment was anticipated to be a reduction of 336 ADTs and 67 A.M. peak hour trips (PHT), and in increase of 5 P.M. PHT.

An alternative trip generation analysis was also included in the ATE Traffic and Parking Assessment that analyzed the existing and proposed developments using a Shopping Center Rate. This analysis found that the existing site (including Taco Bell) would generate 3,172 ADTs and the proposed shopping center (including residential condominiums) would generate 3,499 ADTs. The net change in traffic generation according to the shopping center alternative analysis was anticipated to be an increase of 327 ADTs, 12 A.M. PHT and 30 P.M. PHT.

Subsequent to preparation and submittal of these traffic studies, on May 8, 2007, the City Council adopted the Upper State Street Study (USSS), a focused planning study of the Upper State Street area to identify near term improvements to benefit urban design and transportation. As a part of the USSS, a Traffic, Circulation, and Parking Study (TCP Study), prepared by Meyer, Mohaddes Associates dated February 2007, was completed. The USSS TCP Study provides information regarding existing traffic conditions (V/C and LOS for intersections) in the project vicinity, as well as future potential cumulative traffic conditions.

The methodology for studying traffic conditions in the USS TCP Study varied from the methodology in the City's Master Environmental Assessment (MEA). The MEA methodology uses traffic counts to create a baseline of "existing conditions". The USSS TCP Study used a "potential baseline" that combined traffic counts ("existing conditions" per the MEA) but also added trips to account for underperforming sites as identified through driveway counts. The study found that, in fact, most sites thought to be underperforming were actually functioning at levels close to those trip generation rates identified in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 7th ed.

Both the MEA methodology and the USSS TCP methodology rely on the ITE traffic generation rates to determine the net difference between traffic trips associated with a site's existing land use and traffic trips associated with a site's proposed land use. The number of net trips can be further adjusted based on pass-by and internal capture rates. The net trips generated by a project are then distributed through the traffic system at "existing conditions" to determine project specific impacts. Cumulative impacts analysis takes into account traffic trips associated with the proposed project as well as other reasonable foreseeable projects (approved and pending projects).

The USSS TCP Study included an earlier version of the proposed project and there are some difference in pass by and internal capture rates. The USS TCP Study identified two impacted intersections (Las Positas/ State and Las Positas/Calle Real under cumulative conditions. Finally, the USS TCP Study identified relatively minor improvements that could occur at the two impacted Las Positas intersections and would bring these intersections below the significance threshold of 0.77 V/C. The applicant has included these improvements in the project description.

Following completion of the USS TCP Study, and adoption of the USSS by the City Council, the City hired Iteris (formerly Meyer, Mohaddes Associates) to prepare a more refined and specific traffic analysis for the proposed project to determine potential project-specific and/or cumulative traffic or circulation impacts. In March 2008, Iteris completed their Whole Foods Trip Generation and Review Traffic Analysis Study (Exhibit O). The Iteris Study analyzed project specific impacts using the MEA and USS TCP Study (accounting for underperforming sites) methodologies. A cumulative analysis was done only using the USS TCP Study methodology. This analysis represents a reasonable worst case cumulative scenario (potentially more impact than would be shown using the MEA methodology). The USS TCP methodology assumed additional traffic trips for all underperforming sites that could be generated within existing buildings if low trip generating land uses intensified up to ITE trip-generating levels. This intensification of existing

underperforming sites, all at once, is not likely to occur. Iteris Study also refined the traffic generation associated with the Whole Foods site from that in the USS Study. The Iteris Study reviewed ITE traffic trip generation rates used to analyze other Whole Foods sites, as well as actual trip counts from other Whole Foods sites and utilized the information to refine the ITE traffic trip generation rate used to assess the subject proposed Whole Foods. The change in the project description (in terms of project square footage), combined with use of more accurate pass by rates, internal capture, etc. resulted in the actual net trips generated by the currently proposed project being less than that assumed for the site in the USS TCP Study.

	PM Peak Hour		
	ITE Trip Generation – Existing Development	**ITE Trip Generation – Proposed Development**	**Net New Trips**
Total Project Site	225 Trips	407 Trips	**182 Trips**

Based on the Iteris Study, the commercial and residential redevelopment of the site will generate a net increase of 1,328 ADTs and 182 P.M. peak hour trips. Based on the distribution of these net traffic trips to the area street system, the redevelopment would change the V/C at the Las Positas/Calle Real intersection from 0.79 to 0.80. Because the project would cause the V/C of an intersection already exceeding 0.77 V/C to be increased by 0.01 (1%), the City's threshold of significance for a project-specific traffic impact would be exceeded. However, this impact would be reduced to a *less than significant* level through implementation of project proposed public improvements to alter signal phasing at the Las Positas Road/Calle Real intersection. By altering signal phasing to include eastbound and southbound overlapping right-turn phasing, the future cumulative project conditions at that intersection would improve from V/C 0.82 to 0.72.

Additionally, under future cumulative conditions, the project is expected to add traffic to two intersections that would already exceed 0.77 V/C – Las Positas at Calle Real (also identified as a project-specific impact) specific and Las Positas/San Roque at State Street, thereby exceeding the City's threshold of significance for cumulative traffic impacts at two area intersections. However, this impact would be reduced to a *less than significant* level through implementation of project proposed public improvements to alter signal phasing at the Las Positas Road/Calle Real intersection (as identified above) and at the Las Positas/San Roque/State Street intersection. By altering signal phasing at the Las Positas/San Roque/State Street intersection to include northbound overlapping right-turn phasing, the future cumulative project conditions at that intersection would improve from V/C 0.78 to 0.69.

Note: Although included as part of the project description, these signal improvements have been included as mitigation measures to ensure that they are completed in a timely manner in accordance with City policies and procedures.

Short-Term Construction Traffic

The overall project construction process is estimated to last approximately 16 months. This would include grading for site preparation, construction and creek restoration. As project construction would take place in overlapping phases, it cannot be broken down into a typical construction plan. Each of the three phases of construction is anticipated to have peak manpower of 50 workers per day. Off-site parking would be required for Phase 1 and 2, and possibly Phase 3. Anticipated work hours for all phases would be Monday through Friday, 7:00 am to 5:00 pm, with intermittent work on Saturdays and Sundays from 9:00 am to 4:00 pm. Staging and equipment/materials storage would occur on-site.

The project would generate construction-related traffic that would occur over the 16-month construction period and would vary depending on the stage of construction. Temporary construction traffic is generally considered an adverse but not significant impact. In this case, because the construction is anticipated to last for more than one year, and given traffic levels in the area, short-term construction-related traffic would be a *potentially significant, mitigable* impact. Standard mitigation measures including restrictions on the hours permitted for construction trips and approval of routes for construction traffic would be reduce any impacts to a *less than significant* level.

"Honeymoon Period" Traffic

After completion of Phase Three construction, Whole Foods Market will open. The grand opening of a highly anticipated use such as this is anticipated to result in additional visitors (referred to as the "Honeymoon Period"), thus increasing

vehicle trips to this site. The traffic study prepared by Iteris (Exhibit O) includes estimates of this traffic increase based on information provided by Whole Foods. It is estimated that when Whole Foods first opens, traffic to the site will be 20% more than on a typical day, and this increased patronage will last for two weeks. This results in 332 more ADT and 41 more P.M. peak hour trips than the proposed use (1,660 more ADT and 223 more P.M. peak hour trips than existing uses). Although this increase in vehicle trips would be adverse, given the short duration (even assuming a worst-case scenario of four months), "Honeymoon Period traffic" represents a *less than significant* impact to traffic.

11.b, e) Access/ Circulation/ Safety

Vehicles

The project is proposing to modify the existing site access by relocating the ingress/egress driveways and eliminating two of the four existing driveways along State Street. The two driveways along State Street would be restricted to right-turns only because of the existing median on State Street. Along Hitchcock Way, two driveways are proposed, with the southernmost driveway primarily for delivery truck access. Adequate line of sight distance from these ingress/egress points has been provided. Traffic safety impacts of the project would be *less than significant*.

Pedestrians and Bicyclists

Pedestrian access around the perimeter of the project site would be improved with the increased sidewalk and parkway widths. Pedestrian access within the site is identified through the use of differentiated paving. These walkways provide adequate pedestrian circulation. A total of 60 bicycle parking stalls are proposed as part of the development.

The proposed project would not create any hazards or barriers for pedestrians or bicyclists. The parking, pedestrian and accessible circulation design in the parking lots will require further refinement through the public and design review process, and any building plan check phases, to ensure safe paths of travel within the parking lots. Circulation/safety impacts of the project would be *less than significant*

11.c Emergency Access

The Fire Department has reviewed the site plan for the proposed project and indicates that emergency vehicle maneuvering areas are adequate and access/distance from fire-fighting equipment to the proposed structures meets standards. Emergency access impacts of the project would be *less than significant.*

11.d) Parking

Long-Term Project Parking Supply and Parking Demand

The project proposes 303 parking stalls, of which 282 are standard stalls, 6 are compact stalls, and 15 are accessible stalls. Of these 303 stalls, 18 are proposed exclusively for the residential units. The parking required for the project based on the City's Zoning Ordinance is as follows:

PARKING REQUIREMENT PER CITY ZONING ORDINANCE			
Building	**Square Footage – Net for Parking Calculations**	**Parking Standard (SBMC §28.90.100)**	**Required Parking**
Whole Foods	41,666	1 per 200 net s.f.	208
Circuit City	20,367	1 per 200 net s.f.	102
Shops	2,936	1 per 200 net s.f.	15
Citibank	4,273	1 per 250 net s.f.	17
Retail	1,204	1 per 250 net s.f.	5
TOTAL COMMERCIAL	70,446		**347**
	Number of Units	**Parking Standard (SBMC §28.90.100)**	**Required Parking**

TOTAL RESIDENTIAL	15	2 spaces per unit + 1 guest space for every 4 units with a 50% reduction for mixed-use	30 + 4 guest = 34 34 x 50% = **17**
TOTAL REQUIRED		Commercial + Residential = 347 + 17	**364**

Pursuant to the City's Zoning Ordinance, the project would have a deficit of 61 parking stalls. Because the project does not provide code-complaint commercial parking, a parking demand analysis was prepared for the project by Associated Transportation Engineers, dated April 18, 2006. The square footages of the project have been updated since preparation of the parking analysis; however, the methodology used is still appropriate. Based on this methodology (utilizing the ITE parking generation handbook and the Urban Land Institute's Shared Parking report), the project would result in a commercial parking demand of 291 parking stalls, as outlined in the following table:

SATURDAY PARKING DEMAND CALCULATIONS			
Land Use	**Size (Gross Square Feet, excluding trash enclosure and porta pak)**	**Parking Rate (Saturday)**	**Parking Demand**
Whole Foods	43,050	4.75	204
Circuit City	21,000	3.03	64
Shops	3,052	2.97	9
Citibank	4,392	2.3	10
Retail	1,300	2.97	4
TOTAL COMMERCIAL REQUIRED			**291**

This estimate assumes demand of 2.3-4.75 spaces per 1,000 square feet for the various commercial uses. Then, the hourly demands for each of the uses are considered, with 1:00 pm on a Saturday being the peak hour in terms of parking demand for the entire site. During the peak demand period of 1:00 pm on Saturdays, 286 commercial parking stalls would be required. The project is providing 285 commercial parking stalls. Therefore, the project's parking demand would not be met on site as currently designed.

Compliance with the City's minimum parking requirements is not met on-site. Additionally, the project is not providing adequate parking on site based on the project's parking demand. Therefore, parking supply is determined to result in a *potentially significant, mitigable* parking impact. Providing enough additional parking to satisfy the peak parking demand (in this case one additional parking stall) would mitigate this impact to a less than significant level.

Short-Term Parking Supply and Parking Demand

During the proposed phased construction period, parking demand and supply would be affected. The phased construction schedule means that during each phase, some uses would be operating, while others would not. Parking for the uses that would be operational during each phase of construction is analyzed in the Whole Foods Trip Generation and Review Traffic Analysis Study prepared by Iteris and dated March 2008 (Exhibit O). During construction Phase One, parking demand of the commercial uses would exceed supply by six parking stalls. During construction Phases Two and Three, commercial parking demand would be satisfied on site. During construction, additional parking would be required for construction workers (50 workers per day maximum anticipated). Therefore, off-site parking would be required for Phase 1 and 2, and possibly Phase 3. This represents a *potentially significant, mitigable* impact related to short-term parking impacts. Identification of off-site parking areas for construction workers (and employees during Phase One) would reduce short-term parking impacts to a *less than significant* level.

After completion of Phase Three construction, Whole Foods Market will open. It is anticipated that during the Market's "Honeymoon Period" there would be additional parking demand. According to the Iteris traffic study (Exhibit O), peak commercial parking demand would be 328 stalls, which is 43 more than would be provided. Although this increase in

parking demand would be adverse, given the short duration, it represents a *less than significant* parking impact. Recommended mitigation to manage parking supply would further reduce this impact.

Transportation – Required Mitigation

T-1 **Las Positas Road at Calle Real Intersection.** Prior to occupancy of Phase Three of the project, the applicant shall install a dedicated right-turn arrow and alter signal phasing at the Las Positas Road/Calle Real intersection to expedite traffic flows, as described in the Upper State Street Traffic, Circulation and Parking Study (February 2007).

T-2 **Las Positas Road/San Roque Road at State Street Intersection.** Prior to occupancy of Phase Three of the project, the applicant shall install a dedicated right-turn arrow and alter signal phasing at the Las Positas/San Roque Road / Calle Real intersection to expedite traffic flows, as described in the Upper State Street Traffic, Circulation and Parking Study (February 2007).

T-3 **Disabled Accessibility.** Project circulation shall provide for disabled accessibility or equivalent facilitation in accordance with American Disabilities Act requirements.

T-4 **Construction Traffic – Haul Routes.** The haul routes for all construction-related trucks, three tons or more, entering or exiting the site, shall be approved by the Public Works Director, or designee.

T-5 **Construction Traffic – Hours and Routes.** Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) to help reduce truck traffic and noise on adjacent streets and roadways. The route of construction-related traffic shall be established to minimize trips through surrounding residential neighborhoods.

T-6 **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Sundays and holidays observed by the City of Santa Barbara.

T-7 **Additional Parking Stalls.** The project shall provide 286 parking stalls, based on the square footages and land uses proposed. This results in one additional parking stall beyond those identified on the project plans. This required additional stall may not be located any closer to Arroyo Burro or San Roque Creek than the proposed development. This required additional stall may be gained by revising the proposed parking lot layout(s) to include some compact stalls and/or additional tandem stalls, subject to approval by the Transportation Division and in accordance with the City's Parking Ordinance.

T-8 **Construction Parking.** Construction parking and vehicle/equipment/materials storage shall be provided as follows:

A. During construction, free parking spaces for construction workers (and employees during Phase One) shall be provided off-site in a location subject to the approval of the Transportation and Parking Manager.

B. On-site or off-site storage shall be provided for construction materials, equipment, and vehicles. Storage of construction materials within the public right-of-way is prohibited.

Transportation – Recommended Mitigation

T-9 **Honeymoon Period Parking Management.** Applicant shall prepare a Parking Management Plan to be implemented during the project's Honeymoon Period. The Plan shall identify parking management techniques such as valet parking, off site employee and/or patron parking, parking duration limitations, etc. to reduce parking demand. The Plan shall also include anticipated timing for these techniques and methods to determine when such techniques are no longer necessary (i.e. parking demand has returned to a "normal" level).

Transportation – Residual Impact

Implementation of the required mitigation measures would reduce potentially significant long- and short-term traffic and parking impacts to a less than significant level. Implementation of the recommended mitigation measure would further reduce adverse impacts related to short-term parking.

12. WATER ENVIRONMENT Could the project result in:		NO	YES *Level of Significance*
a)	Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?		Less then Significant
b)	Exposure of people or property to water related hazards such as flooding?		Less than Significant
c)	Discharge into surface waters?		Potentially Significant, Mitigable
d)	Change in the quantity, quality, direction or rate of flow of ground waters?	X	
e)	Increased storm water drainage?		Less than Significant

Water – Discussion

Issues: Water resources issues include changes in offsite drainage and infiltration/groundwater recharge; storm water runoff and flooding; and water quality.

Impact Evaluation Guidelines: A significant impact would result from:

Water Resources and Drainage

- Substantially changing the amount of surface water in any water body or the quantity of groundwater recharge.
- Substantially changing the drainage pattern or creating a substantially increased amount or rate of surface water runoff that would exceed the capacity of existing or planned drainage and storm water systems.

Flooding

- Locating development within 100-year flood hazard areas; substantially altering the course or flow of flood waters or otherwise exposing people or property to substantial flood hazard

Water Quality

- Substantial discharge of sediment or pollutants into surface water or groundwater, or otherwise degrading water quality, including temperature, dissolved oxygen, or turbidity.

Water Resources – Existing Conditions and Project Impacts

Drainage from the site sheet flows in a southerly direction across the site where it is collected and dispersed into the San Roque and Arroyo Burro Creek corridors untreated. The project proposes to direct the majority of the site runoff towards the southwest corner of the site and into the existing box culvert at Arroyo Burro Creek, where a subsurface hydrodynamic separator would be installed to treat the stormwater runoff. The amount of impervious surfacing proposed would decrease by approximately 23,000 square feet from existing conditions. A Preliminary Drainage Analysis prepared by Penfield & Smith., dated April 2006 (Exhibit F), indicates that runoff from the site in a 25- or 100-year storm event would not change (10.9 cfs and 14.5 cfs, respectively) following construction of the project. Thus, there would be no net increase of runoff; and impacts to drainage would be *less than significant.*

12.b) Flooding

The majority of the project site is within Zone X (outside the 100-year flood plain) per the Flood Insurance Rate Map (FIRM) published by the Federal Emergency Management Agency (FEMA). The creek corridors themselves are in Flood Zone AE (Special Flood Hazard Area Inundated by 100 Year Flood). The project includes alterations to the Arroyo Burro creek bank, including adding up to five feet of fill in the channel bottom for stabilization purposes (refer to Exhibit G - Creek Stability Analysis prepared by Questa). This will not result in an increase in the FEMA 100-year flood elevation upstream of the State Street culvert. There will be increases in the FEMA 100-year flood elevation downstream of the State Street culvert; however, at least a two-foot freeboard to the creek bank would be maintained. Data to support this

conclusion was prepared by Penfield & Smith and is attached to the Questa Report (Exhibit G). A Letter Of Map Revision (LOMR) may be required through FEMA. Impacts related to flooding would be *less than significant.*

12.c) Surface Runoff Rate and Quality

Long-Term Runoff

Stormwater runoff from impervious surfaces is proposed to be collected and treated prior to discharge into the existing culvert at Arroyo Burro Creek. The project will also include permeable surfaces (52% of total site area) that will allow for some natural infiltration and treatment of runoff. Currently, there is no retention or treatment of stormwater. A creek restoration and enhancement plan has been proposed (refer to Biological Resources Section for additional information), which will include increased creek setback areas along both creeks that will serve as natural stormwater filters. Overall, the amount of impervious surface at the site will decrease by approximately 21,000 square feet (9% of total site area).

Runoff of pollutants from parking areas or commercial operations also has the potential to degrade water quality. Project drainage will be designed to flow southerly toward Arroyo Burro Creek. The project has been designed to treat 100% of all stormwater runoff. Stormwater runoff not accommodated by natural infiltration, will be treated prior to discharge. Compliance with standard City requirements would reduce the project's *potentially significant, mitigable* long-term water quality impacts to a less than significant level. These requirements include the preparation of an operation and maintenance plan for the use of storm drain surface water pollutant interceptors, stenciling of storm drain warnings of the direct connection of the drainage system to creeks and the ocean, and implementation of water quality protection best management practices (BMPs).

With the implementation of the proposed project design and the required mitigation, water quality and runoff rates are anticipated to improve compared to existing conditions.

Short-Term Construction Runoff

Project demolition and grading activities create the potential for erosion and sedimentation affecting water quality. Surface water quality impacts are therefore considered *potentially significant, mitigable* through implementation of erosion control measures. Numerous federal, state and local regulatory programs have been established to minimize impacts to water quality resulting from construction operations. Compliance with applicable regulations and the mitigation requirements provided below will reduce the potential for the proposed project to result in short-term construction-related water quality impact to a less than significant level.

12.d) Groundwater

Depth to groundwater at the site was measured at 29 to 30 and 19 to 32 feet below ground surface in 2005 and 2004, respectively. Onsite grading is not anticipated to reach the level of the groundwater table and therefore direct contact with groundwater is not anticipated to occur. Therefore, *no impacts* to groundwater are expected.

Water Resources – Required Mitigation

W-1 **Construction Erosion/Sedimentation Control Plan.** Project grading and construction shall be conducted in accordance with an approved erosion control plan to protect water quality throughout the site preparation, earthwork, and construction process. Prior to the issuance of a demolition or building permit for the proposed project, the applicant or project developer shall prepare an erosion control plan that is consistent with the requirements outlined in the *Procedures for the Control of Runoff into Storm Drains and Watercourses* and the Building and Safety Division *Erosion/Sedimentation Control Policy* (2003). The erosion control/water quality protection plan shall specify how the required water quality protection procedures are to be designed, implemented and maintained over the duration of the development project. A copy of the plan shall be submitted to the Community Development and Public Works Departments for review and approval, and a copy of the approved plan shall be kept at the project site.

At a minimum, the erosion control/water quality protection plan prepared for the proposed project shall address the implementation, installation and/or maintenance of each of the following water resource protection strategies: Paving and Grinding, Sandbag Barriers, Spill Prevention/Control, Solid Waste Management, Storm Drain Inlet Protection, Stabilize Site Entrances and Exits, Illicit Connections and Illegal Discharges, Water Conservation, Stockpile Management, Liquid Wastes, Street Sweeping and Vacuuming, Concrete Waste Management,

Sanitary/Septic Waste Management, Vehicle and Equipment Maintenance, Vehicle and Equipment Cleaning, Vehicle and Equipment Fueling.

W-2 **Minimization of Storm Water Pollutants of Concern.** The applicant shall implement approved plans incorporating long-term storm water best management practices (BMPs) to minimize identified storm water pollutants of concern including automobile oil, grease and metals. The applicant shall submit project plans incorporating long-term BMPs to minimize storm water pollutants of concern to the extent feasible, and obtain approval from Public Works Engineering. The owners association shall maintain approved facilities in working order for the life of the project, and shall inspect annually and submit report to City annually.

W-3 **Storm Drain System Stenciling and Signage.** Within the project area, the applicant shall implement stenciling of all storm drain inlets and catch basins, and posting of signs at all public access points along channels and creeks, with language in English and Spanish and graphic icons prohibiting dumping, per approved plans. The applicant shall submit project plans to the satisfaction of Public Works Engineering that identify storm drain inlet locations throughout the project area, and specified wording and design treatment for stenciling of storm drain inlets and signage for public access points that prohibit dumping. The owners association shall maintain ongoing legibility of the stenciling and signage for the life of the project, and shall inspect at least annually and submit report annually.

W-4 **Trash Storage Area Design.** Project trash container areas shall incorporate approved long-term structural storm water best management practices (BMPs) to protect water quality. The applicant shall submit project plans to the satisfaction of Public Works Engineering and Solid Waste that incorporate long-term structural best management practices for trash storage areas to protect storm water quality. The owners shall maintain these structural storm water quality protections in working order for the life of the project, and shall inspect at least annually and report to the City annually.

Water Resources – Recommended Mitigation

W-5 **Letter of Map Revision.** The applicant shall contact FEMA and obtain A Letter of Map Revision (LOMR) as appropriate.

Water Resources – Residual Impact

Implementation of the identified mitigation measures would reduce potential short- and long-term water quality impacts to a less than significant level.

MANDATORY FINDINGS OF SIGNIFICANCE.		*YES*	*NO*
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildfire population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X
b)	Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?		X
c)	Does the project have potential impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X
d)	Does the project have potential environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?		X

a) Biological and Cultural Resources.

The project site is located in an urbanized area; however it is bounded on two sides by Creeks, which support native plants and several reptile, amphibian and bird species. Some sensitive animal species are expected to occur on or near the project site. *Potentially significant* impacts to wetland vegetation would be reduced to a *less than significant* level through mitigation which requires replacement of the wetland habitat. No known archaeological resources are located on the project site; however, the site is considered sensitive for the potential presence of buried prehistoric and historic artifacts. *Potentially significant, mitigable* impacts to previously undetected archaeological resources would be reduced to a *less than significant* level by implementing proposed mitigation measures, which require on-site monitoring of initial site demolition and grading and additional measures should archaeological resources be discovered.

b) Short-Term vs. Long-Term Environmental Goals.

The proposed project would provide additional residential units and commercial space. Proposed development would improve the condition of the creeks surrounding the project site, when compared to existing conditions. *Potentially significant* impacts related to traffic and parking would be reduced to *less than significant* levels through mitigation, including alterations to traffic signal phasing and off-site parking during construction.

c) Cumulative Impacts.

The proposed project would result in new development adjacent to an important transportation corridor in the City: State Street. *Potentially significant* impacts related to cumulative traffic would be reduced to *less than significant* levels through mitigation which requires alterations to traffic signal phasing.

The proposed project would not result in the substantial use of available potable water supplies or available waste water treatment capabilities, and would not result in significant cumulative public service/utility impacts. Other impacts of the proposed project can also be reduced to a less than significant level and would not result in a considerable contribution to cumulative environmental impacts. Cumulative impacts for all issue areas are considered *potentially significant, mitigable* or *less than significant.*

d) Other Environmental Effects.

All *Potentially significant, mitigable* short- and long-term impacts of the proposed project can be reduced to a less than significant level with the implementation of proposed mitigation measures.

INITIAL STUDY CONCLUSION

On the basis of this initial evaluation it has been determined that with identified mitigation measures agreed-to by the applicant, potentially significant impacts would be avoided or reduced to less than significant levels. A Mitigated Negative Declaration will be prepared.

Initial Study Preparer: Allison De Busk, Project Planner

D A Andalaro 5-1-08

Environmental Analyst Date

EXHIBITS:

A. Project Plans

B. Mitigation, Monitoring and Reporting Program

C. Architectural Board of Review Minutes, February 12, 2007

D. Planning Commission Minutes - Concept Review, July 14, 2005

E. Environmental Noise Study – Revised, prepared by Dudek, dated December 18, 2006

F. Preliminary Drainage Analysis for Whole Foods Market Project, prepared by Penfield & Smith, dated April 2006

G. Creek Stability Analysis for the Hitchcock Center Redevelopment Project, prepared by Questa Engineering Corp., dated March 9, 2006

H. Report of Geotechnical Investigation and Seismic Hazard Evaluation Study, prepared by Arroyo Geotechnical, dated May 6, 2005 (excluding Appendices)

I. Engineering Geology Report, prepared by Arroyo Geotechnical, dated January 10, 2006

J. Preliminary Creekside Restoration Monitoring and Maintenance Plan, prepared by Rachel Tierney, dated March 18, 2006

K. Biological Resources Letter Report and Impact Analysis, prepared by Dudek, dated November 6, 2007

L. Whole Foods Tree Inventory, prepared by Bill Spiewak, dated October 12, 2005

M. Draft Solid Waste Management Plan, prepared by Dudek, dated November 2, 2005

N. Draft Solid Waste Management Plan Supplement 1, prepared by Dudek, dated October 30, 2006

O. Whole Foods Trip Generation and Review Traffic Analysis Study, prepared by Iteris, dated March 2008

P. Permitted Uses in the C-P and C-2 Zones

LIST OF SOURCES USED IN PREPARATION OF THIS INITIAL STUDY

The following sources used in the preparation of this Initial Study are located at the Community Development Department, Planning Division, 630 Garden Street, Santa Barbara and are available for review upon request.

Alternative Approaches to Analyzing Greenhouse Gas Emissions and Global Climate Change in CEQA Documents (Association of Environmental Professionals, June 29, 2007)

California Environmental Quality Act (CEQA) & CEQA Guidelines

Construction Phasing and Logistics Report, prepared by Regency Centers, dated November 29, 2006General Plan Circulation Element

General Plan Conservation Element

2004 Housing Element

General Plan Land Use Element

General Plan Noise Element w/appendices

General Plan Map

General Plan Seismic Safety/Safety Element

General Plan Update 2030: Conditions, Trends and Issues Report

Geology Assessment for the City of Santa Barbara

Institute of Traffic Engineers Parking Generation Manual

Institute of Traffic Engineers Trip Generation Manual

Master Environmental Assessment

Parking Design Standards

Phase 1 Environmental Site Assessment for 3759, 3761 and 3763 State Street, prepared by BL Companies, dated August 11, 2003

Phase 1 Environmental Site Assessment and Asbestos Survey for 3757 State Street, prepared by URS, dated August 16, 2004

Pre-Demolition Asbestos Survey / Other Hazardous materials Survey, prepared by URS, dated May 9, 2005

San Roque and Arroyo Burro Creeks Preliminary Analysis, prepared by Penfield & Smith, dated June 11, 2004

Santa Barbara Municipal Code & City Charter

Special District Map

Summary of Findings of a Fast-Track Due Diligence for Site Located at the Southwest Corner of State Street and Hitchcock Way Intersection, prepared by Leighton Consulting Group, dated November 26, 2003

Summary of Findings of Due Diligence for Site Located at 3757 State Street, prepared by Leighton Consulting Group, dated May 13, 2004

Uniform Building Code as adopted by City

Updated Traffic and Parking Assessment for the Circuit City Commercial Center Redevelopment Project, prepared by Associated Transportation Engineers, dated April 18, 2006

Upper State Street Area Design Guidelines (1992)

Upper State Street Study Information Booklet (September 29, 2006)

Upper State Street Study (2007)

Zoning Ordinance & Zoning Map